

Columbus City Bulletin



Bulletin 16
April 19, 2003



Proceedings of City Council

Vol. LXXXVIII

Saturday, April 19, 2003

NO. 16

PROCEEDINGS OF CITY COUNCIL REGULAR MEETING NO. 12 MONDAY, APRIL 14, 2003 AT 5:00 P.M.

Council met in regular session with President Matthew D. Habash in the chair. The roll being called, the following members were present: Kevin L. Boyce, President Pro-Tem Michael C. Mentel, Maryellen O'Shaughnessy, Richard W. Sensenbrenner, Charleta B. Tavares, Patsy A. Thomas and President Matthew D. Habash.

There being a quorum present, Council adopted a motion to dispense with reading of the minutes of the previous session and to accept the journal as recorded.

THE CITY BULLETIN Official Publication of the City of Columbus

Published weekly under authority of the City Charter and direction of the City Clerk. The Office of Publication is the City Clerk's Office, 90 W. Broad Street, Columbus, Ohio 43215. The City Bulletin contains the official report of the proceedings of council. The Bulletin also contains all ordinances and resolutions acted upon by council, civil service notices and announcements of examinations, advertisements for bids and requests for professional services, and details pertaining to official actions of all city departments.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF MONDAY, APRIL 14 2003:

New Type: C1, C2
To: William T Wentzel
DBA R& R Sports Headquarters
781 S Front St
Columbus Ohio 43206

New Type: C1, C2
To: LCPG Inc
DBA Airport Station
1425 N Cassady
Columbus Ohio 43219

New Type: C2, C1
To: LCPG Inc
DBA Summit St
Columbus Ohio 43201

New Type: C1, C2
To: LCPG Inc
DBA Neil Station
2187 Neil Ave
Columbus Ohio 43201

New Type: D2
To: Frank T Catalfino
DBA Catalfinos Pizza & Pub
6784 Refugee
Columbus Ohio 43110

New Type: C1, C2
To: LCPG Inc
DBA Broad St Station
6977 E Broad St
Columbus Ohio 43213

New Type: C1, C2
To: LCPG Inc
DBA Mill Run Station
3880 Park Mill Run
Columbus Ohio 43026

New Type: C1, C2
To: LCPG Inc
DBA Tuttle Station
5350 Tuttle Crossing Blvd
Columbus Ohio 43017

New Type: D2
To: Mozarts Inc
DBA Mozarts Café
2885 N High St Bsmt 1st Fl Fenced Patio
Columbus Ohio 43202

Stock Type: D5
To: Emelios Restaurant Inc
574 Georgesville Rd
Columbus Ohio 43228

Transfer Type: D1, D3
To: Down On The Corner Inc
DBA Down On The Corner Inc
1904 S High St
Columbus Ohio 43207
From: Club 1904 Inc
DBA Club 1904 Inc
1904 S High St
Columbus Ohio 43207

Transfer Type: D5
To: BMG Ventures LLC
DBA Brewmasters Gate
485 S Front Street
Columbus Ohio 43215
From: 21 East State Street LP
A Limited Partnership
DBA 21 East State Street LP
1st Fl & Mezzanine Only
21 E State St Suite 110
Columbus Ohio 43215

Transfer Type: C1, C2, D6
To: ESM Foods Inc
DBA Nathans Drive Thru
1232-34 Mt Vernon Ave 1st fl Only
Columbus Ohio 43202
From: Gohns Inc
DBA Nathans Drive Thru
1232-34 Mt Vernon Av 1st Fl Only
Columbus Ohio 43203

Transfer Type: C1, C2
To: JNBL Inc
DBA Westerville Carryout
5476 Westerville Rd
Columbus Westerville Ohio 43081
From: EMDEE Inc
DBA Westerville Carryout
5476 Westerville Rd
Columbus Ohio 43081

(04/19/03)

ORDINANCES

ORD NO. 0496-03

To appoint interim members to the Northeast Area Commission and authorize those interim members to conduct Commission business, and to waive compliance with those City Code and existing Northeast Area Commission by-laws and election rules that are necessary for effective implementation of the dispute resolution process recommended by the Community Relations Commission and to declare an emergency.

WHEREAS, area commissions have been established to afford additional voluntary citizen participation in decision-making in an advisory capacity and to facilitate communication, understanding and cooperation between neighborhood groups, city officials and developers; and,

WHEREAS, among the functions and duties of area commissions is to review comment and make recommendations relating to zoning matters regarding property located wholly or partially within the area; and,

WHEREAS, the Northeast Area Commission has been established pursuant to City Code Section 3111.08 as the representative advisory area commission for the Northeast area pursuant to Chapter 3109; and,

WHEREAS, the Northeast Area Commission has been unable to function effectively due to a dispute over the legitimate and recognized membership of that commission, which has resulted in confusion and frustration within the community and the lack of reliable and effective input from the Northeast area, particularly with regard to zoning matters; and,

WHEREAS, the Community Relations Commission has made recommendations to the Director of the Department of Development for a process to resolve this dispute, which process Council fully supports as being in the best interest of the residents of the Northeast area community as well as the City of Columbus; and,

WHEREAS, this legislation is necessary to appoint interim members to the Northeast Area Commission, to enable the implementation of the process recommended by the Community Relations Commission, and to waive compliance with those City Code and existing Northeast Area Commission by-laws and election rules that are necessary for effective implementation of that process; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, City Council and the Northeast Area Commission in that it is immediately necessary to restore the Northeast Area Commission to a functional and effective capacity for the preservation of public health, peace, property and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the following individuals are hereby appointed as members of the Northeast Area Commission on an interim basis, during which time they shall serve as the sole members of the Northeast Area Commission: Clark Baltzell, Chester Carr, Richard Cash, Ramona Henry, Larzell Hensley, Kar'yen Jones, Bonnie Little, Randolph Maynard, Robert Polite, and James Simpson.

Section 2. That the terms of the interim members appointed herein shall hereby expire on June 30, 2003. During such interim period, all interim members shall be authorized to perform all Commission functions and duties as provided in City Code Section 3109.14, including, but not limited to, the appointment of an election board and Commission committees.

Section 3. That the interim members of the Northeast Area Commission are hereby authorized to appoint an election board and to take such other actions as may be required to conduct an election on June 7, 2003 in order to select nominees for appointment by the Mayor pursuant to City Code Sections 3109.07 and 3109.08.

Section 4. That the business conducted by the interim members of the Northeast Area Commission at the April 10, 2003 meeting relative to the appointment of an interim chair, an election board and a zoning committee are acknowledged and ratified by Council.

Section 5. That, to the extent the interim appointments and authority ordained herein may be in conflict with provisions of the City Code or the Northeast Area Commission's existing bylaws or election rules, compliance with said provisions is hereby waived in order to implement effectively the purposes and intent of this ordinance as set forth in the preamble hereto.

Section 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, the ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0505-03

To authorize and direct the Director of the Office of Education to accept a grant in the amount of \$40,000.00 and enter into an agreement with The Limited Inc. for funding to support after school programming, to authorize an appropriation of \$40,000.00 from the unappropriated balance of the Education Private Grant Fund No.291 to the Office of Education.(\$40,000.00)

WHEREAS, The Limited Inc. has awarded the City of Columbus, Office of Education, a grant for after school programming; and

WHEREAS, it is necessary to accept said grant and appropriate said funds; now, therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Office of Education be and is hereby authorized and directed to accept a grant in the amount of \$40,000.00 and enter into an agreement with The Limited Inc. for after-school programming.

Section 2. That from the unappropriated monies in the Education Private Grant Fund No.291, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31,2003, the sum of \$40,000.00 is appropriated to the Office of Education Department No.40-04, as follows:

<u>Grant Title</u>	<u>Grant No.</u>	<u>OCA Code</u>	<u>Object Level</u>	<u>Amount</u>
After School Projects	400002	400002	3336	\$ 5,000
After School Projects	400002	400002	2290	\$35,000

Section 3. That the monies in the foregoing Section 2 shall be paid upon order of the Director of the Office of Education, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0506-03

To authorize and direct the Director of the Office of Education to accept four mini grants totaling \$2,000 and enter into an agreement with The ADAMH Board of Franklin County for funding to support after school programming, to authorize an appropriation of \$2,000.00 from the unappropriated balance of the Education Private Grant Fund No.291 to the Office of Education.(\$2,000.00)

WHEREAS, The ADAMH Board of Franklin County has awarded the City of Columbus, Office of Education, four mini grants to support after school programming; and

WHEREAS, it is necessary to accept said grant and appropriate said funds; now, therefore;
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Office of Education be and is hereby authorized and directed to accept four mini grants totaling \$2,000.00 and enter into an agreement with The ADAMH Board of Franklin County to support after-school programming.

Section 2. That from the unappropriated monies in the Education Private Grant Fund No.291, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2003, the sum of \$2,000.00 is appropriated to the Office of Education Department No.40-04, as follows:

<u>Grant Title</u>	<u>Grant No.</u>	<u>OCA Code</u>	<u>Object Level</u>	<u>Amount</u>
After School Projects	400002	400002	3336	\$ 500
After School Projects	400002	400002	2290	\$1,500

Section 3. That the monies in the foregoing Section 2 shall be paid upon order of the Director of the Office of Education, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0507-03

To authorize the establishment of a \$250.00 imprest petty cash fund within the Mayor's Charitable Trust Fund. (\$250.00)

Whereas, it has been determined that funds are available to create an imprest petty cash fund within the Mayor's Charitable Trust Fund; and;

Whereas, it is necessary to establish an imprest petty cash fund to provide funds for emergency expenditures; and

Whereas, it is necessary to waive sections of the Columbus City Codes pertaining to competitive bidding; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City Auditor shall, on receipt of a voucher approved by the Mayor, provide the sum of \$250.00 which is hereby authorized for expenditure from fund 224. Division Number 40-04, Character 2, Minor Object 5520, OCA 404012, for use as a imprest petty cash fund.

Section 2. That the imprest petty cash, as established in the total amount of \$250.00 shall be operated by the Mayor, or the Director or the Office of Education, who shall keep an accurate accounting of such monies.

Section 3. That the provisions of Section 329.07 (b) of the Columbus City Codes, 1959. be and are hereby waived for all purchases made from the funds appropriated as a result of this Ordinance.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0508-03

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Viamedia Broadband Advertising Partners as provide in Columbus City Council Resolution 144X-02, adopted July 22, 2002.

WHEREAS, the City desires to increase employment opportunities and encourage establishment of new jobs in the City in order to improve the overall economic climate of the City and its citizens; and

WHEREAS, Resolution 144X-02, adopted July 22, 2002, authorizing the Department of Development to establish the Columbus Downtown Office Incentive Program; and

WHEREAS, the Department of Development has received a completed application for the Columbus Downtown Office Incentive Program from Viamedia Broadband Advertising Partners; and

WHEREAS, Viamedia Broadband Advertising Partners estimates that it will create 10 employees at 330 West Spring Street, in newly leased space, with a projected payroll of \$585,000 generating estimated City of Columbus income tax revenue of \$11,700 annually; NOW, THEREFORE:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized to enter into a Columbus Downtown Office Incentive Program agreement with Viamedia Broadband Advertising Partners, pursuant to Columbus City Council Resolution 144X-02, for an annual cash payment equal to 50% of the total income tax withholding paid to the City of Columbus for a five (5) year term based on the estimated addition of 10 jobs at 330 West Spring Street.

Section 2. This employment at Viamedia Broadband Advertising Partners is the result of creating 10 new jobs in the Downtown as defined in Columbus City Code Title 33 Section 3359.03 downtown district boundary.

Section 3. As provide in the program guidelines, the lease is for 10 years thus qualifying for a five (5) year term for the incentive. The term beginning in calendar year 2003, with the incentive payment made in the first quarter of each year for five years beginning in 2004 based on actual employment figures for the preceding year.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0509-03

To authorize the Public Service Director to enter into agreements with local jurisdictions and political entities to participate in the Central

Ohio Management Based Applied Technology Project (COMBAT), an advanced global positioning system/advanced vehicle locator system which will enable the real time management of assets to better manage public service operations.

WHEREAS; the Transportation Division is responsible for public works operations such as snow and ice removal and control and maintaining the City's roadway system; and

WHEREAS; it is desirable to enhance regional cooperation between local jurisdictions and political entities in addressing public works operations in the central Ohio area; and

WHEREAS; in cooperation with the Franklin County Engineer, the Transportation Division is developing the Central Ohio Management Based Applied Technology (COMBAT) Project, an advanced fleet management and Automated Vehicle Locating system for utilization and management of multi -jurisdictional public works applications; and

WHEREAS; the Transportation Division of the Public Service Department is acting as the lead agency for the COMBAT Project; and

WHEREAS; it is prudent to have established contractual relationships with other municipalities in the region to address cost sharing, protocols, reporting, and maintenance; and

WHEREAS; it is necessary that the Public Service Director be authorized to execute agreements as appropriate for the project; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Public Service Director be and hereby is authorized on behalf of the City of Columbus to enter into agreements with local jurisdictions and political entities as necessary to participate in the Central Ohio Management Based Applied Technology Project (COMBAT), an advanced global positioning system/advanced vehicle locator system which will enable the real time management of fleet assets, including those of the Transportation Division.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0510-03

To assess certain properties for the cost of demolishing structures found to be public nuisances.

WHEREAS, the Columbus City Code, Sections 4701.06 and 4109.06 states, that upon failure of the property owner to abate a nuisance within the time limits specified, the Director of the Department of Development, or his authorized agent, is authorized to cause the demolition of the nuisance structure. This section further provides that the owner of such a demolished structure shall be billed for the cost of such demolition and upon failure of such owner to pay such cost of demolition the City of Columbus, may cause such cost of demolition to be levied as an assessment against the property which was the subject of the abatement action; and

WHEREAS, certain structures have been demolished in accordance with the provisions of the Columbus City Code, Sections 4701.06 and 4109.06; and

WHEREAS, certain property owners have been billed for the cost of such demolitions and have failed to pay such cost; and

WHEREAS, it is therefore necessary to assess the cost of such demolitions against the properties which were the subject of the abatement actions; and

WHEREAS, a procedure to be followed in certifying and assessing such demolition costs is for the City of Columbus to certify such costs to the County Auditor of Franklin County, Ohio and have them levied as a special assessment against the property which was the subject of the demolition abatement action, and recovered in the manner provided for the recovery of special assessments; NOW, THEREFORE,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the following list showing the owners name, parcel number, address of the demolished structure, and the cost of demolishing the structure, be and is hereby approved.

OWNERS NAME	PARCEL NUMBER	PROPERTY ADDRESS	DEMOLITION COSTS
1. Lena Painter	010-051440	187 S. Cypress	\$ 7103.41
2. George & Beverly Kinney	010-067609	571 Whitethorne	\$ 6450.54
3. Donna Holcomb	010-009214	872 Mansfield	\$ 5960.64
4. Eugene J. Maier	010-012123	195 McDowell	\$ 2443.18
5. Eugene J. Maier	010-010048	197 McDowell	\$ 2443.18
6. Beulah Seitz	010-041978	71 Avondale	\$ 8603.87
7. Donald Gibson	010-064738	73 Morrill	\$ 6539.27
8. First National Acceptance Co.	010-004890	71 Hawkes	\$ 5757.58
9. John D Brown	010-018409	1455 N. 4 th St.	\$ 6092.74
10. Frank & Paul Paxton	010-008100	166 N. Wayne	\$ 1361.24
11. Patricia Moses	010-002022	1201 E. Long St.	\$10487.04
12. Lost & Found Outreach Inc.	010-015466	1676-78 E. Main St.	\$10716.31
13. Kylan Hansaid	010-034776	1378 Mt. Vernon	\$ 5099.25
14. Demir Tahiraj	010-053990	315 E. Innis	\$ 7200.87
15. New Horizon Mgmt. Group Inc.	010-032637	990 E. Mithoff	\$ 2015.00
16. Eugene Weatherspoon	010-008226	497 Berkeley	\$ 6628.79
17. James & Ruth Brockington	010-010635	156 Latta	\$ 5855.83
18. Leroy Robinson	010-008373	199 N. 21 st	\$ 8866.88
19. Meeks Rental	010-045698	1096 McAllister	\$ 1127.38
20. Jose Ines Vazquez	010-007402	261 S. Harris	\$ 5375.02
21. Ronald Hayward	010-047619	1566-68 E. Main	\$ 3900.70
22. Benjamin Whitehead	010-076381	1082-84 E. 18 th	\$12882.95
23. Geraldine Glover-Nichols	010-056998	224 S. Highland	\$ 6954.79
24. Martha Smith	010-010442	1801 Parsons Av.	\$12670.00
25. Richard Cooper	010-047376	565 Hanford	\$ 8917.64
26. Jimmie Wilbon	010-031434	413 N. Monroe	\$11179.23
27. Claten Daugherty	010-010605	349 S. Wheatland	\$ 7060.69
28. Charlotte Bryant	010-016432	264 S. Hague	\$ 5190.98
29. Brenda Bays	010-004873	673 S. Ohio	\$12314.37
30. Babbs V. Lynn	010-020525	447 Fairfield	\$ 4350.41

31. Terrell Mock	010-041324	820 Kelton	\$ 5485.00
32. John B. & Claudette Bracey	010-059358	1067 Mrytle	\$ 1970.00
33. Jeffrey S. Parker	010-030762	835-37 E. Columbus	\$ 8670.00
34. Norman Spafford	010-067606	1700 Safford	\$ 7095.00
35. James B. Kennedy Jr.	010-026776	1239 Harrison	\$ 4645.00
36. Superior Bank	010-064035	213 E. 9th	\$ 5620.00
37. Johannes J. Christian	010-049625	445-51 Stoddart	\$10970.00

Section 2. That the City Clerk shall certify, in writing, to the County Auditor of Franklin County, Ohio a report of such assessments and charges which shall then be entered upon the tax duplicate of Franklin County, Ohio and be collected in the manner provided for the recovery of special assessments.

Section 3. That upon such recovery of such demolition cost the proceeds shall be transmitted to the treasurer of the City of Columbus, Ohio and returned to the demolition fund from which they were originally disbursed.

Section 4. That this ordinance shall take effect and be in force from and after the earliest date provided by law. s.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0511-03

To authorize the Director of Public Utilities to increase the contract with Moling & Associates, Inc., for security guard services at the Public Utilities Complex, for the Division of Water, and to authorize the expenditure of \$43,810.00 from Water Systems Operating Fund. (\$23,810.00)

WHEREAS, contract number EDOI 0515 was established with Moling & Associates, Inc. for security guard services at the Public Utilities Complex, and

WHEREAS, the Division would like to increase this contract in order to provide security guard services for the remainder of the year, and

WHEREAS, it has become necessary in the usual daily operation of the Division of Water, Department of Public Utilities, to authorize the Director of Public Utilities to increase the contract for security guard services, from Moling & Associates, Inc., for the preservation of public health, peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities be and is hereby authorized to increase the contract with Moling & Associates, Inc., for security guard services, for the Division of Water, Department of Public Utilities.

Section 2. That the expenditure of \$23,810.00 or as much thereof as may be needed, is hereby authorized from Water Works Fund 600, Department 60-09, OCA Code 600908, Object Level One 03, Object Level Three 3398, to pay the cost thereof.

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0515-03

To authorize and direct the Finance Director to modify and extend the citywide contracts for the option to purchase Small Tools, with MCS Industrial Supply, Machinery & Tool Rental, Hilti Inc., Graybar Electric Company, Goss Supply, Central Ohio Power Tools, Edco Tool & Supply, Snap-On Industrial, Myers Industries, and Hertz Equipment Rental Corp., and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bids; and

WHEREAS, vendors have agreed to extend FL000244, FL000243, FL000242, FL000240, FL000239, FL000237, FL000238, FL000355, PL000245, and PL000241, at current prices and conditions to and including September 30, 2003, and it is in the best interest of the City to exercise this option; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL000244, FL000243, FL000242, FL000240, FL000239, FL000237, FL000238, FL000355, FL000245, and FL000241, for an option to purchase Small Tools thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance Director be and is hereby authorized and directed to modify and extend FL000244, MCS Industrial Supply; FL000243, Machinery & Tool Rental; FL000242, Hilti Inc.; FL000240, Graybar Electric Company; FL000239, Goss Supply; FL000237, Central Ohio Power Tools; FL000238, Edco Tool & Supply; FL000355, Snap-On Industrial; FL000245, Myers Industries; and FL000241, Hertz Equipment Rental Corp., to and including September 30, 2003.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0518-03

To authorize the appropriation of \$40,000 from the unappropriated balance of the Capitol South Debt Service Fund to the Department of Development; to authorize the Director of the Department of Development to expend funds for construction/project management services and to reimburse the divisions of Police and Transportation for expenses associated with the project and other related costs; to authorize the expenditure of \$40,000 from the Capitol South Debt Service Fund; and to declare an emergency. (\$40,000.00)

WHEREAS, Children's Hospital requires that up to 6 houses, located at on the south side of Livingston Avenue between Wager and Ann streets, be demolished to make way for replacement parking due to the construction of its Child Advocacy Center to be located on the south side of Livingston Avenue; and

WHEREAS, there exists an opportunity for these homes to be moved, by the efforts of members of the Old Oaks Civic Association, to vacant lots located in the Old Oaks Historic District; and

WHEREAS, the City of Columbus desires to further the public purpose to revitalize neighborhoods and preserve housing that is potentially historically significant; and

WHEREAS, Children's Hospital desires to begin demolition and construction of its project as soon as possible; and

WHEREAS, the individual members of the Old Oaks Civic Association have submitted letters of intent to finance the project and copies of purchase agreements for the vacant lots to receive the houses; and

WHEREAS, the City desires to provide financial assistance to assure quality project/construction management and to reimburse the divisions of Police and Transportation those expenses normally charged to the project and other related costs; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is necessary to appropriate and expend said funds for the Children's Hospital Rouse Moves Project for the immediate preservation of the public health, peace, property and safety;

NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That from the unappropriated monies in the Capitol South Debt Service Fund, Fund No.481, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2003, the sum of \$40,000 is appropriated to the Department of Development, Division 44-10, Object Level One 03, Object Level Three 3336, OCA Code 481009.

Section 2. That the Director of the Department of Development be authorized to expend funds for construction/project management services and to reimburse the Police and Transportation divisions for expenses charged to the Children's Hospital House Moves project and other related costs.

Section 3. That for the purpose as stated in Section 2, the expenditure of \$40,000.00 or so much thereof as may be necessary, be and is hereby authorized to be expended from the Capitol South Debt Service Fund, Department of Development, Department No.44-10, Fund 481, Object Level One 03, Object Level Three 3336, OCA Code 481009.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0525-03

To authorize the Public Service Director enter into a contract with the Chemi-Trol Chemical Company for the Weed and Vegetation Control - 2003 project for the Transportation Division; to authorize the expenditure of \$47,050.00 from the Municipal Motor Vehicle License Tax Fund and to declare an emergency. (\$47,050.00)

WHEREAS, the Transportation Division is responsible for weed and vegetation control along the City's highways and arterial roads, and
WHEREAS, weed spraying is necessary to reduce mowing and trimming costs around guardrails, light poles, signposts and other structures,
and

WHEREAS, bids were received and tabulated on February 13, 2003 by the Transportation Division for the Weed and Vegetation Control - 2003 project, and

WHEREAS, a satisfactory low bid was received, and

WHEREAS, funds are available in the Municipal Motor Vehicle License Tax Fund, and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department of Transportation Division, in that the contract should be let so that the work may proceed without delay, thereby preserving the public health, peace and safety; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Public Service Director be and is hereby authorized to enter into a contract for the Weed and Vegetation Control - 2003 project with the Chemi-Trol Chemical Company, 2776 CR 69, Gibsonburg Ohio 43431, in an amount not to exceed \$47,050.00, in accordance with the applicable specifications and plans on file in the office of the Transportation Administrator, which are hereby approved.

SECTION 2. That for the purpose of paying the cost of the contract, the sum of \$47,050.00 or so much thereof as may be needed, is hereby authorized to be expended from the Municipal Motor Vehicle License Tax Fund, Fund 266, Department No.59-09, Object Level One Code 03, Object Level Three Code 3375 and OCA Code 599115.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0526-03

To authorize the Public Service Director to enter into a contract for the Guardrail and Fence Repair - 2003 project with the M.P. Dory Company for the Transportation Division, to authorize the expenditure of \$180,000.00 or so much thereof as may be needed from the Municipal Motor Vehicle License Tax Fund and to declare an emergency. (\$180,000.00)

WHEREAS, the Transportation Division is responsible for maintaining the City's roadway system in a safe manner, and

WHEREAS, guardrail and fence repair projects are needed to restore accident damage locations, replace deteriorating structures, and install new structures, and

WHEREAS, bids were received and tabulated on January 30, 2003 by the Transportation Division for the Guardrail and Fence Repair - 2003 project, and a satisfactory low bid was received, and

WHEREAS, funds are budgeted and available for this expenditure, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that the contract should be let so that the work may proceed without delay, thereby preserving the public health, peace and safety; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Public Service Director be and is hereby authorized to enter into a contract for the Guardrail and Fence Repair - 2003 project with the M.P. Dory Company, 2001 Integrity Drive South, Columbus, Ohio 43209, in an amount not to exceed \$180,000.00, in accordance with the applicable specifications and plans on file in the office of the Transportation Administrator, which are hereby approved.

SECTION 2. That for the purpose of paying the cost of the contract, the sum of \$180,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Municipal Motor Vehicle License Tax Fund No.266, Department No.59-09, Object Level One Code 03, Object Level Three Code 3375 and OCA Code 599116.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0535-03

To authorize and direct the Director of Public Utilities to enter into an agreement with SimplexGrinnell LP for Fire System Testing, Inspection and Repairs for the Division of Sewerage and Drainage in accordance with the sole source provisions of the Columbus City Code, and to authorize the expenditure of \$26,509.00 from the Sewerage System Operating Fund and to declare an emergency. (\$26,509.00)

WHEREAS, the fire alarm system at the Sewer Maintenance Operations Center is necessary for providing building and site security at t250 Fairwood Avenue, which houses the Fire and Police Communication Center (911) Recreation and Parks; the Police Property Room and the Sewer Maintenance Section, and

WHEREAS, the manufacturer of the system which is installed at the facility, SimplexGrinnell LP, is the confirmed sole source for parts, which are proprietary in nature; and,

WHEREAS, the Division of Sewerage and Drainage has received an informal quotation from SimplexGrinnell LP detailing the cost and services to be provided; and,

WHEREAS, the Division of Sewerage and Drainage desires to enter into an agreement with the sole source company, SimplexGrinnell LP, for these requires parts and services for a period of one (1) year, with option to renew for additional year, and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that it is immediately necessary to enter into an agreement for Fire System Inspection, Testing and Repairs for the Sewer Maintenance Operations Center for the immediate preservation of the public health, peace, property and safety; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities be and is hereby authorized and directed to enter into an agreement with SimplexGrinnell for Fire System Testing, Inspection and Repairs, in accordance with the sole source provisions of the Columbus City Code, Section 329.07, for the Division of Sewerage and Drainage, Sewer Maintenance Operations Center.

SECTION 2. That the expenditure of \$26,509.00, or so much thereof as may be necessary, be and is hereby authorized from the Sewerage System Operating Fund, Fund No.650, as follows, to pay the cost thereof.

Department of Public Utilities				
Dept. No	Object Level One	Object Level Three	OCA Code	Amount
60-05	03	3370	606202	\$26,509.00

SECTION 3. That for the reasons stated in the preamble hereto, where is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, which shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0547-03

To authorize and direct the Director of Finance issue blanket purchase orders for plant industrial and hardware supplies, parts and accessories for the Division of Sewerage and Drainage, to authorize the expenditure of \$100,500.00 from the Sewerage System Operating Fund, to waive the competitive bidding requirements of the Columbus City Codes. (\$100,500.00)

WHEREAS, the purchase of various plant industrial and hardware supplies, parts and accessories that cannot be reasonably anticipated is requested by the Division of Sewerage and Drainage, and,

WHEREAS, it is in the best interest of the City of Columbus to waive formal competitive bidding requirements for the purchase of various plant industrial and hardware supplies, parts and accessories, and; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Finance be and is hereby authorized and directed establish blanket purchase orders for plant industrial and hardware supplies, parts and accessories without benefit of formal competitive bidding provided the Division of Sewerage and Drainage Administrator first authorizes the purchase via the issuance of a requisition and that the blanket purchase orders are certified from the Auditor's Certificate established by this ordinance and no single purchase will exceed \$20,000.00

SECTION 2. That the vendors and amounts for plant industrial and hardware supplies, parts and accessories will be certified from the Auditor's Certificate as follows

SUPPLIER NAME	CONTRACT COMPLIANCE #	OBJECT LEVEL THREE CODE	
Ametek / Gilson	14-1682544	2246	MAJ
Anchor Rubber	31-0802533	2245	MAJ
Applied Industrial Technology	34-0117420	2245	MAJ
Bearing Distributors Inc	34-0089320	2245	MAJ
Central Pump & Supply	31-0856033	2245	F1
Circleville Oil	31-4147860	2244	MAJ
Coleman Industrial	31-1150603	2246	MAJ
Columbus Automatic Sprayer	31-0837211	2246	MAJ
Columbus Supply	31-1571445	2246	F1
E&M Equipment	31-0791016	2246	MAJ
George Lynch Controls	31-1121351	2246	F1
Gores Maintenance Co	31-1408167	2246	M1A
Goss Supply	31-4378081	2246	MAJ
Graphic Controls	52-2135052	2246	MAJ
Harrington Plastics	95-2752402	2245	MAJ
Hersch Packing & Rubber	31-0743184	2245	MAJ
Hughes Peters	25-1841702	2246	MAJ
Instel Power Services	57-1087326	2245	MAJ
Johnstone Supply	31-1114455	2245	MAJ
Kaman Industrial Technologies	06-0914701	2245	MAJ

Lowe's	56-0578072	2245	MAJ
McDaniel's Construction	31-1145406	2245	M1A
Motion Industries	63-0251578	2245	MAJ
MSC Industrial Supply	13-5526506	2245	MAJ
Newark Electronics	35-1167154	2245	MAJ
Ohio Transmission & Pumps	31-0655811	2245	MAJ
Pipe Valves	31-1190471	2245	MAJ
Refrigeration Sales	34-0657342	2245	MAJ
Safety Solutions	31-0808325	2194	MAJ
WW Grainger	36-1150280	2245	MAJ
Westwater Supply	31-4427980	2245	MAJ
Worly Plumbing	31-4391479	2245	MAJ

SECTION 3. That in accordance with Section 329.26 of the Columbus City Codes, the Columbus City Council finds it in the best interest of the City of Columbus to waive formal competitive bidding requirements as they pertain to the action authorized in Section 1 of this ordinance and that Section 329.06 and 329.07 of the Columbus City Codes are hereby waived.

SECTION 4. That the expenditure of \$100,500.00, or so much thereof as may be necessary, be and is hereby authorized from the Sewerage System Operating Fund, Fund No.650, as follows, to pay the cost thereof.

Department of Public Utilities				
Dept. No	Object Level One	Object Level Three	OCA Code	Amount
60-05	02	2194	605063	\$ 2,000.00
60-05	02	2244	605063	\$ 10,000.00
60-05	02	2245	605063	\$ 64,500.00
60-05	02	2246	605063	\$ 24,000.00
TOTAL				\$100,500.00

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0560-03

To authorize and direct the Finance Director to modify the existing citywide contracts and any existing purchase orders with ASI Innovations, and to declare an emergency.

WHEREAS, Vision Micro acquired ASI Innovation. Vision Micro has change the name of the company to Shea PC, government division of Vision Micro and has agreed to honor existing contracts and any existing purchase orders at current prices, terms and conditions, and it is in the best interest of the City to exercise this option; and

WHEREAS, an emergency exists in the usual dally operation of the Purchasing Office in that it is immediately necessary to modify all current contracts and any existing purchase orders with ASI Innovations thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance Director be and is hereby authorized and directed to modify existing citywide contracts and any existing purchase orders to reflect the change of the company's name and FID number from ASI Innovations, 41-2010466 to Shea PC, government division Vision Micro, FID. 42-1541312.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0561-03

To authorize the Public Service Director to modify and extend a contract for the Facilities Management Division with SimplexGrinnell LP for annual inspection, testing, and reporting for all smoke and fire alarm systems under the purview of the Facilities Management Division; to authorize the expenditure of \$28,000.00 from the General Fund, and to declare an emergency. (\$28,000.00)

WHEREAS, Ordinance No.269-01, passed City Council on February 12, 2001, authorized the Public Service Department, Facilities Management Division, to enter into a contract for annual inspection, testing, and reporting for all smoke and fire alarm systems under the purview of the Facilities Management Division, and

WHEREAS, the existing contract has a renewal option, and

WHEREAS, it is now necessary to modify and extend said contract with SimplexGrinnell LP, and

WHEREAS, an emergency now exists in the usual daily operation of the Public Service Department, Facilities Management Division, in that it is immediately necessary to authorize the Public Service Director to modify and extend a contract with SimplexGrinnell LP for annual inspection, testing, and reporting of all smoke and fire alarm systems under the purview of the Facilities Management Division, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Public Service Director be and is hereby authorized to modify and extend contract EL001787 with SimplexGrinnell LP for annual inspection, testing, and reporting of all smoke and fire alarm systems under the purview of the Facilities Management Division.

SECTION 2. That the expenditure of \$28,000.00, or so much thereof that may be necessary in regard to the action authorized in Section 1, be and is hereby authorized and approved as follows:

Division	Fund	OCA Code	Object Level 1	Object Level 3	Amount
59-07	010	281006	03	3370	\$28,000.00

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0562-03

To authorize the Director of the Department of Technology to modify and extend a contract with Frank(in County Public Facilities Management, for 800MHz radio communication services; to authorize the expenditure of \$37,580.24 from the Information Services and General Fund, and to declare an emergency. (\$37,580.24)

WHEREAS, the legislation authorizes the Director of the Department of Technology to modify and extend a contract with Franklin County Public Facilities Management, and

WHEREAS, through agreements reached between the City and the County, the 800MHz radio communication service is provided on County operated channels, and

WHEREAS, this system is the primary means of communication, command control of all divisional fleet assets, and

WHEREAS, it is the means of communication and data transfer for staff out in the field during daily operations, routine and emergency, and

WHEREAS, this system enables each agency that utilizes fleet units, greater coordination of these units by enhancing the ability of supervisors to dispatch vehicles to needed locations, and

WHEREAS, this modification is in the amount of \$37,580.24, which adequate funding was budgeted and is available, and

WHEREAS, it is in the best interests of the City to modify and extend the contract with Franklin County for the 800MHz radio communication services; now, therefore,

WHEREAS, an emergency exists in the usual daily operations of the Department of Technology in that it is immediately necessary to authorize the Director of the Department of Technology to modify and extend a contract with Franklin County, thereby preserving the public health, peace, safety, and welfare; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1: That the Director of the Department of Technology, on behalf of the Building Services Division and Transportation, is hereby authorized to modify and extend the contract for 800MHz radio communication services with Franklin County Public Facilities Management.

SECTION 2: That the expenditure of \$37,580.24 or so much thereof as may be necessary is hereby authorized to be expended from:

Dept./Division:	47-01	47-01	47-01
Fund:	514	514	010
Subfund:	265	240	n/a
OCA Code:	514265	514240	470724
Object Level 1:	03	03	03
Object Level 3:	3302	3302	3302
Amount:	\$24,797.60	\$5,529.36	\$7,253.28

SECTION 3: That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0563-03

To authorize the Director of the Department of Recreation and Parks to execute those documents necessary to grant to the Franklin County Commissioners a perpetual easement on certain City owned real property located, in the vicinity of Alton Road and Tamara Avenue, and to declare an emergency.

WHEREAS the Franklin County Commissioners are engaged in a County project known as the Tamara Avenue Improvement Project; and

WHEREAS, the project is designed to alleviate flooding across Tamara Avenue during heavy rains by installing a 15-inch tile; and

WHEREAS, although this is a Franklin County project, certain real property interests necessary to the aforementioned project are owned by the City of Columbus; and

WHEREAS, therefore, it has been requested that the City of Columbus grant a perpetual easement to the Franklin County Commissioners in and on certain City owned real property, more fully described in the body of this legislation; and

WHEREAS, after investigation the Department of Recreation and Parks has determined that the granting of the subject easement will not adversely affect the City and should be granted without cost in the spirit of intergovernmental cooperation; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to authorize the Director of the Department of Recreation and Parks to execute those documents necessary to grant a certain easement rights to the Franklin County Commissioners for the immediate preservation of the public health, peace, property and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Recreation and Parks be, and hereby is, authorized to execute those documents as approved by the City Attorney's Office, Department of Law, Division of Real Estate, necessary to grant a perpetual easement to the Franklin County Commissioners for the County's Tamara Avenue Improvement Project in, over, under, across and through the following described real property

Situated in the State of Ohio, County of Franklin, Township of Prairie, being a part of Virginia Military Survey No.5106, and being a strip of land on, over, and across a 59.0036 acre tract as conveyed to the City of Columbus, Ohio, a municipal corporation, by deed of record in Instrument No.199706200028393, Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Commencing for reference in the southerly line of the said 59.0036 acre tract, said point being the northwesterly corner of Lot 2 of O'Harra Estates as shown of record in Plat Book 32, Page 10 and as conveyed to Margery A. Stubbs by deed of record in Instrument No.199911190289291, all of the aforementioned references being to the Recorder's Office, Franklin County, Ohio;

Thence S 86° 47' 32" E, a distance of 6.85 feet, along the southerly line of the said 59.0036 acre tract, and also along the northerly line of said Lot 2 to the True Point Of Beginning of the herein described strip of land;

Thence, crossing the said 59.0036 acre tract by the following three (3) described courses:

1. N 30° 12' 28" E, a distance of 15.00 feet;
 2. S 86° 47' 32" E, a distance of 568.61 feet;
 3. S 30° 15' 35" W, a distance of 15.00 feet to the northerly line of the said 59.0036 acre tract, and said point also being in the northerly line of Lot 7 of said O'Harra Estates and as conveyed to Daniel J. and Teresa Lynne Riley by deed of record in Deed Book 3692, Page 126, Recorder's Office, Franklin County, Ohio;
 Thence N 86° 47' 32" W, a distance of 568.60 feet, along the southerly line of the said 59.0036 acre tract, and also along the northerly line of Lots 7, 6, 5, 4, 3, and 2 of said O'Harra Estates, to the True Point Of Beginning of the herein described strip of land, containing 0.196 acres, more or less. Bearings are based on the Ohio State Plane Coordinate System, South Zone and North American Datum of 1983 (1986), as established from a G.P.S. survey performed by the Franklin County Engineer's Survey Department in 2001, occupying monuments "FCGS 0073", "FCGS 0076". This description was prepared by the office of the Franklin County Engineer, David L. Pearson, P.S., Ohio Registered Surveyor No. 7298, from an actual field survey of the premises made in April 2002, by the Franklin County Engineer's Office, and also from deeds and plats of record, Recorder's Office, Franklin County, Ohio.

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0564-03

To authorize the Director of the Department of Recreation and Parks to execute those documents necessary to grant to the Board of County Commissioners of Fairfield County, Ohio a perpetual general utility easement on certain City owned real property located, in the vicinity of Tussing Road and Blacklick Creek, and to declare an emergency.

WHEREAS the Board of County Commissioners of Fairfield County, Ohio are engaged in a County project commonly known as the Tussing Road Bridge reconstruction project; and

WHEREAS, the project will reconstruct and improve the existing Tussing Road Bridge; and

WHEREAS, although this is a Fairfield County project, certain real property interests necessary to the aforementioned project are owned by the City of Columbus; and

WHEREAS, it has been requested that the City of Columbus grant a perpetual general utility easement to the Fairfield County Commissioners in and on certain City owned real property, more fully described in the body of this legislation; and

WHEREAS, after investigation by the Department of Recreation and Parks has determined that the granting of the subject easement will not adversely affect the City and should be granted, without cost, in the spirit of intergovernmental cooperation; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to authorize the Director of the Department of Recreation and Parks to execute those documents necessary to grant a certain sewer easement to the Board of County Commissioners of Fairfield County, Ohio for the immediate preservation of the public health, peace, property and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Recreation and Parks be, and hereby is, authorized to execute those documents, as approved by the City Attorney's Office, Department of Law, Division of Real Estate, necessary to grant The Board of County Commissioners of Fairfield County, Ohio, a perpetual general utility easement in, over, under, across and through the following described real property, for Fairfield County's Tussing Road Bridge reconstruction, project:

Situated in the City of Columbus, the State of Ohio, the County of Fairfield, the Township of Violet, Township Sixteen (16), Range twenty (20), part of the Southwest Quarter of Section Twenty (20).

Being part of a 200.120 acre tract deeded to the City of Columbus, Ohio as recorded in Deed Volume 563, Page 229 of the records of the Fairfield County Recorder's Office:

Beginning For Reference at an ODOT Monument at Station 89+11.43, PC of Tussing Road centerline survey for S.R. 256 as documented in the Ohio Department of Transportation Plans FAI-256-00.32; Thence leaving said centerline S 27° 25' 50" E, for a distance of 70.00 feet to a reference 518 inch rebar set at the existing ODOT south right-of-way line as recorded in Deed Volume 618, Page 333 of said county records; Thence with said ODOT right-of-way S 62° 34' 10" W, for a distance of 90.69 feet to a point on the east line of said City of Columbus 200.120 acre tract. Said point also being the west line of a 7.913 acre tract deeded to The Board of County Commissioners Of Fairfield County, Ohio as recorded in Deed Volume 560, Page 752 of said county records and being the True Point Of Beginning of the tract herein described;

Thence continuing S 62° 34' 10" W, for a distance of 189.95 feet to a 5/8 inch rebar set on the west line of Section 20, also being the west line of said City of Columbus tract;

Thence with the west line of said Section 20 and the City of Columbus tract N 03° 32' 22" E, for a distance of 82.48 feet to the center of Tussing Road and the north line of said City of Columbus tract;

Thence with said Tussing Road and the north line of said City of Columbus tract N 68° 21' 37" E, for a distance of 110.00 feet to the west line of said 7.913 acre tract deeded to The Board of County Commissioners Of Fairfield County, Ohio as recorded in Deed Volume 560, Page 752 of said county records;

Thence with said east line of said City of Columbus tract and the west line of said 7.913 acre tract S 59° 59' 26" E, for a distance of 70.74 feet to the True Point Of Beginning, and containing 0.224 acres, more or less.

This description was prepared from an actual field survey by George F. Gurile, P.S. No. 7228, Project Surveyor for the Fairfield County Engineer's Office in February of 2003 using Geographical Information and other documents on record at the Fairfield County Courthouse.

The bearings are based on ODOT drawing FAI-256-00.32 for S.R. 256.

George F. Gurile, P.S. No. 7228, 2/21/03.

Prior Instrument Reference: D.B. Vol. 563, Pg. 229,

Recorder's Office, Fairfield County, Ohio.

Fairfield County Tax Parcel No. 058-08025-00.

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0565-03

To authorize and direct the Director of Recreation and Parks to enter into contract with Mid-West Landscape Company for the Street Tree Plantings: Old North and University Areas Project, to authorize the expenditure of \$56,474.00 from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency. (\$56,474.00)

WHEREAS, bids were received by the Recreation and Parks Department on March 11, 2003, and the contract will be awarded on the basis of the lowest and best responsive and responsible bidder; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said contract for the preservation of public health, peace, property and safety; now, therefore
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with Mid-West Landscape Company for the Street Tree Plantings: Old North and University Areas Project, in accordance with plans and specifications on file in the Recreation and Parks Department.

SECTION 2. That the expenditure of \$56,474.00, or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Voted 1995 and 1999 Parks and Recreation Bond Fund, as follows:

Fund Type	Dept. No.	Fund	Project No.	Project Name	Object Level 3	OCA Code	Amount
Cap. Proj.	51-01	702	440006	Urban Infrastructure Recovery Fund	6621	644526	54,474.00
Cap. Proj.	51-01	702	440006	Urban Infrastructure Recovery Fund	6680	644526	2,000.00

SECTION 4. That for the purpose of paying for any contingencies which may occur during this project, the amount of \$5,000.00 has been included in Section 2, above. This amount will be expended only after approval by the Director of the Recreation and Parks Department, certification by the City Auditor, and approval of the City Attorney.

SECTION 5. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

SECTION 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0566-03

To authorize and direct the Director of the Recreation and Parks Department to submit a grant application to the Ohio Department of Natural Resources, totaling \$152,000.00, for Recreational Trails Program assistance at Hayden Falls, and to declare an emergency. (\$152,000.00)

WHEREAS, the Ohio Department of Natural Resources, Division of Real Estate and Land Management, is accepting grant applications for landing under the Recreational Trails Program; and

WHEREAS, the Recreation and Parks Department wishes to apply for said funding for improvements at Hayden Falls at the Griggs Reservoir; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to apply for said grant for the preservation of public health, peace, property and safety; now, therefore
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of the Recreation and Parks Department be and he is hereby authorized and directed to submit a grant application in the amount of \$152,000.00 to the Ohio Department of Natural Resources, Division of Real Estate and Land Management, for improvements at Hayden Falls.

SECTION 2. That this ordinance authorizes an application only and is not a commitment to expend City lands. A second ordinance to authorize the grant is required before the City will obligate its funds.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed as amended April 14, 2003, Matthew D. Habash, President of Council / Approved as amended April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0567-03

To authorize and direct the Director of Recreation and Parks to enter into contract with Hopewell Constructors, Inc., for the Beatty Recreation Center Renovation Project, to authorize the expenditure of \$2,072,311.00 from various funds, and to declare an emergency. (\$2,072,311.00)

WHEREAS, bids were received by the Recreation and Parks Department on March 11, 2003, and the contract for the Beatty Recreation Center Renovations Project will be awarded on the basis of the lowest and best responsive and responsible bidder; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said contract for the preservation of public health, peace, property and safety; now, therefore
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with Hopewell Constructors, Inc., for the Beatty Recreation Center Renovations Project, in accordance with plans and specifications on file in the Recreation and Parks Department.

SECTION 2. That the expenditure of \$1,500,000.00, or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Recreation and Parks Grant Fund, as follows:

Fund Type	Dept. No.	Fund	Grant No.	Grant Name	Object Level 3	OCA Code	Amount
Grant	51-01	286	512022	Beatty Park and Recreation Center	6620	512022	1,500,000.00

SECTION 3. That the expenditure of \$572,311.00, or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Voted 1995 and 1999 Parks and Recreation Bond Fund, as follows:

Fund Type	Dept.	Fund No.	Project No.	Project Name	Object Level 3	OCA Code	Amount
Cap. Proj.	51-01	702	510035	Facility Renovations	6620	644526	552,311.00
Cap. Proj.	51-01	702	510035	Facility Renovations	6681	644526	20,000.00

SECTION 4. That for the purpose of paying for any contingencies which may occur during this project, the amount of \$200,000.00 has been included in Section 3, above. This amount will be expended only after approval by the Director of the Recreation and Parks Department, certification by the City Auditor, and approval of the City Attorney.

SECTION 5. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same land upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account landed by monies from more than one source.

SECTION 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0568-03

To authorize and direct the Director of Recreation and Parks to submit a grant application, in the amount of \$707,688.00 to the Ohio Public Works Commission for a Clean Ohio Funds Program grant for land acquisition adjacent to Parkridge Park and Teaford Parklands, and to declare an emergency. (\$707,688.00)

WHEREAS, the Ohio Public Works Commission is accepting applications for a Clean Ohio Funds Program grant; and

WHEREAS, the Recreation and Parks Department wishes to apply for said funding for land acquisition adjacent Parkridge Park and Teaford Parklands; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to submit said grant application for the preservation of public health, peace, property and safety; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to submit a grant application in the amount of \$707,688.00 to the Ohio Public Works Commission for a Clean Ohio Funds Program grant.

SECTION 2. That this ordinance authorizes an application only and is not a commitment to expend City funds. A second ordinance to authorize the grant is required before the City will obligate its funds.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0569-03

To authorize the Mayor of the City of Columbus to accept a FY2002 Byrne Memorial Subgrant, to authorize an appropriation of \$134,000.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs of the Central Ohio Regional Drug Task Force project and to declare an emergency. (\$134,000.00)

WHEREAS, the City of Columbus Division of Police is a participating agency of the Central Ohio Regional Drug Task Force; and

WHEREAS, the City of Columbus Division of Police was recently awarded a Byrne Memorial Subgrant and fiscal oversight of lands for the operation of the Central Ohio Regional Drug Task Force; and

WHEREAS, an emergency exists in the daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to authorize the Mayor to accept a FY2002 Byrne Memorial Subgrant and authorize an appropriation for the Central Ohio Regional Drug Task Force for the preservation of public health, peace, property, safety and welfare; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Mayor of the City of Columbus be and is hereby authorized and directed to accept a FY2002 Byrne Memorial Subgrant for the Central Ohio Regional Drug Task Force.

Section 2. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said land from any and all sources and unappropriated for any other purpose during the project award period the sum of \$134,000.00 is appropriated as follows:

DIV	FD	OBJ#1	OBJ # 3	OCA	GRANT#	AMOUNT
30-03	220	01	1131	333015	333015	\$18,333.00
30-03	220	02	2216	333015	333015	87,960.00
30-03	220	03	3336	333015	333015	20,207.00
30-03	220	06	6643	333015	333015	7,500.00

Section 3. That the monies appropriated in the foregoing Section 2 shall be paid upon order of the Director of Public Safety; and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 4. That for reasons stated in the preamble, hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0570-03

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Uniforms, with Roy Tailors Uniform Company of Columbus, Inc., and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, the contract modification will add section 3.9.3 Style Substitution; and

WHEREAS, vendor has agreed to extend FL001055 at current prices and conditions to and including March 31, 2004, and it is in the best interest of the City to exercise this option; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL001055 for an option to purchase Uniforms thereby preserving the public health, peace, property, safety, and welfare, now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance Director be and is hereby authorized and directed to modify and extend FL001055 with Roy Tailors Uniform Company of Columbus, Inc. to and including March 31, 2004 and to add the following 3.93 Style Substitution: In the event a particular item is discontinued or is having high incidents of equipment failure, the supplier shall make every attempt to offer a suitable alternative at the same price as the original item.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0571-03

To authorize the City Attorney to file the necessary complaints for the appropriation of construction and permanent easements in and to real estate necessary for the Big Walnut Sanitary Trunk Extension Project, to authorize the expenditure of \$30,600.00 from the Voted Sanitary Bond Fund and to declare an emergency. (\$30,600.00)

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Big Walnut Sanitary Trunk Extension Project, and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 094X-02, on the 20th day of May, 2002, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division Sewerage and Drainage, in that it is necessary to appropriate such real property interests so that there will be no delay in the aforementioned project, and for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That construction and permanent easements in, over, under, across and through the following described real property, be appropriated for the public purpose of the Big Walnut Sanitary Trunk Extension Project, # 650033, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

PARCEL NO. 5P-SH**PERPETUAL SHAFT EASEMENT**

Situated in the State of Ohio, County of Franklin, Township of Blendon, being located in Township 2, Range 17, United States Military Lands and being 0.415 acres within a 88.678 acre tract conveyed to Fannie L. Shafer of record in Deed Book 3669, Page 517 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Commencing for reference at a stone found at the southeasterly corner of said 88.678 acre tract, at the southwesterly corner of Lot 14 conveyed to Martha J. Vermaaten of record in Plat Book 31, Page 4 and in the northerly line of a 8.609 acre tract conveyed to AERC Arrowhead Station, Inc. of record in Instrument Number 199911290294664;

Thence along the southerly line of said 88.678 acre tract, the northerly line of said 8.609 acre tract, and the northerly line of a 0.524 acre tract conveyed to Wickford Company, Inc. of record in Official Record 11507C12, North 86° 14' 41" West a distance of 782.36 feet to the True Point of Beginning;

Thence continuing along said property line, N 86° 14' 41" W, a distance of 200.00 feet to a point;

Thence crossing through said 88.678 acre tract, N 03° 46' 52" E, a distance of 90.46 feet to a point;

Thence crossing through said 88.678 acre tract, S 86° 13' 08" E, a distance of 200.00 feet to a point;

Thence crossing through said 88.678 acre tract, S 03° 46' 52" W, a distance of 90.37 feet to the True Point Of Beginning and containing 0.415 acres, more or less.

PARCEL NO. 5-P-ST-1**PERPETUAL SUBSURFACE TUNNEL EASEMENT NO. 1
(EXTENDING VERTICALLY BETWEEN NAVD 88 ELEVATIONS 823 AND 788)**

Situated in the State of Ohio, County of Franklin, Township of Blendon, being located in Township 2, Range 17, United States Military Lands and being a permanent subsurface easement thirty-five (35.00) feet in height within a 88.678 acre tract conveyed to Fannie L. Shafer of record in Deed Book 3669, Page 517 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Commencing for reference at a stone found at the southeasterly corner of said 88.678 acre tract, at the southwesterly corner of Lot 14 conveyed to Martha J. Vermaaten of record in Plat Book 31, Page 4 and in the northerly line of a 8.609 acre tract conveyed to AERC Arrowhead Station, Inc. of record in Instrument Number 199911290294664;

Thence along the southerly line of said 88.678 acre tract, the northerly line of said 8.609 acre tract, and the northerly line of a 0.524 acre tract conveyed to Wickford Company, Inc. of record in Official Record 11507C12, North 86° 14' 41" West a distance of 982.36 feet to the True Point of Beginning;

Thence continuing along said property line, N 86° 14' 41" W, a distance of 19.28 feet to a point;

Thence crossing through said 88.678 acre tract with a curve to the left having a radius of 990.00 feet, a central angle of 01° 12' 47", and a chord that bears N 70° 43' 14" E, a chord distance of 20.96 feet to a point;

Thence crossing through said 88.678 acre tract, S 03° 46' 52" W, a distance of 8.20 feet to the True Point Of Beginning;

Said easement contains a volume of 2,730 cubic feet, more or less, and the area of the horizontal plane at elevation 788 contains 0.002 acres (78 square feet), more or less.

PARCEL NO. 5-P-ST-2
PERPETUAL SUBSURFACE TUNNEL EASEMENT NO.1
(EXTENDING VERTICALLY BETWEEN NAVD 88 ELEVATIONS 824.5 AND 789.5)

Situated in the State of Ohio, County of Franklin, Township of Blendon, being located in Township 2, Range 17, United States Military Lands and being a permanent subsurface easement twenty (20.00) feet in width and thirty-five (35.00) feet in height within a 88.678 acre tract conveyed to Fannie L. Shafer of record in Deed Book 3669, Page 517 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Commencing for reference at a stone found at the southeasterly corner of said 88.678 acre tract, at the southwesterly corner of Lot 14 of Rolling Ridge Subdivision conveyed to Martha J. Vermaaten of record in Plat Book 31, Page 4 and in the northerly line of a 8.609 acre tract conveyed to AERC Arrowhead Station, Inc. of record in Instrument Number 199911290294664;

Thence along the southerly line of said 88.678 acre tract, the northerly line of said 8.609 acre tract, and the northerly line of a 0.524 acre tract conveyed to Wickford Company, Inc. of record in Official Record 11507C12, N 86° 14' 41" W, a distance of 782.36 feet to the southeasterly corner of above permanent easement;

Thence along the easterly line of above permanent easement, N 03° 46' 52" E, a distance of 90.37 feet to the northeasterly corner of above permanent easement;

Thence along the northerly line of above permanent easement, N 86° 13' 08" W, a distance of 14.02 to the True Point of Beginning

Thence continuing along the northerly line of said above permanent easement, N 86° 13' 08" W, a distance of 35.35 to a point;

Thence crossing through said 88.678 acre tract with a curve to the left having a radius of 990.00 feet, a central angle of 29° 54' 20", and a chord that bears N 45° 12' 59" E, a chord distance of 510.89 feet to a point;

Thence continuing crossing through said 88.678 acre tract, N 30° 15' 49" E, a distance of 795.77 feet to a point of curvature;

Thence crossing through said 88.678 acre tract with a curve to the right having a radius of 1010.00 feet, a central angle of 02° 56' 22", and a chord that bears N 35° 30' 39" E, a chord distance of 51.81 feet to a northerly property line of said 88.678 acre tract and a southerly line of a 46.56 acre tract conveyed to C. Kenneth and Annabelle A. Smith of record in Deed Book 3303, Page 151;

Thence along a northerly property line of said 88.678 acre tract and a southerly line of said 46.56 acre tract, S 86° 11' 41" E, a distance of 24.00 feet to a point;

Thence crossing through said 88.678 acre tract with a curve to the left having a radius of 990.00 feet, a central angle of 03° 39' 41", and a chord that bears S 35° 54' 36" W, a chord distance of 63.25 feet to a point;

Thence continuing crossing through said 88.678 acre tract, S 30° 15' 49" W, a distance of 795.11 feet to a point of curvature;

Thence crossing through said 88.678 acre tract with a curve to the right having a radius of 1010.00 feet, a central angle of 28° 14' 06", and a chord that bears S 44° 22' 52" W, a chord distance of 492.70 feet to the True Point Of Beginning;

Said easement contains a volume of 952,070 cubic feet, more or less, and the area of the horizontal plane at elevation 789.5 contains 0.624 acres (27202 square feet), more or less.

The following described temporary construction easement shall have a term of Three (3) Years, said term to commence upon the plaintiff's entry upon the described real property for actual construction purposes and terminating three years thereafter.

PARCEL NO. 5-T
TEMPORARY CONSTRUCTION EASEMENT

Situated in the State of Ohio, County of Franklin, Township of Blendon, being located in Township 2, Range 17, United States Military Lands and being 0.391 acres within a 88.678 acre tract conveyed to Fannie L. Shafer of record in Deed Book 3669, Page 517 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Commencing for reference at a stone found at the southeasterly corner of said 88.678 acre tract, at the southwesterly corner of Lot 14 of Rolling Ridge Subdivision conveyed to Martha J. Vermaaten of record in Plat Book 31, Page 4 and in the northerly line of a 8.609 acre tract conveyed to AERC Arrowhead Station, Inc. of record in Instrument Number 199911290294664;

Thence along the southerly line of said 88.678 acre tract, the northerly line of said 8.609 acre tract, and the northerly line of a 0.524 acre tract conveyed to Wickford Company, Inc. of record in Official Record 11507C12, North 86° 14' 41" West a distance of 757.36 feet to the True Point of Beginning;

Thence continuing along said property line, North 86° 14' 41" West a distance of 25.00 feet to a point;

Thence crossing through said 88.678 acre tract, North 03° 46' 52" East a distance of 90.37 feet to a point;

Thence crossing through said 88.678 acre tract, North 86° 13' 08" West a distance of 200.00 feet to a point;

Thence crossing through said 88.678 acre tract, South 03° 46' 52" West a distance of 90.46 feet to a point;

Thence crossing through said 88.678 acre tract, North 86° 14' 41" West a distance of 25.00 feet to a point;

Thence crossing through said 88.678 acre tract, North 03° 46' 52" East a distance of 140.47 feet to a point;

Thence crossing through said 88.678 acre tract, South 86° 13' 08" East a distance of 250.00 feet to a point;

Thence crossing through said 88.678 acre tract, South 03° 46' 52" West a distance of 140.36 feet to the True Point of Beginning and containing 0.391 acres, more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, North American Datum 1983 (1986) as derived from a survey occupying Franklin County Monuments "FCGS 0008", "FCGS 5568", "FCGS 8824", and "FCGS 8825".

The above descriptions were prepared by DLZ Ohio, Inc., Columbus, Ohio from available records and an actual field survey.

DLZ Ohio, Inc., Robert A. Bosworth, P.S. #7750.

Franklin County Tax Parcel No. 110-000510.

Section 2. That the Council of the City of Columbus, Ohio, declares that the appropriation of said real property interests is necessary for the stated public purpose, and that the City of Columbus, Ohio, has been unable to agree with the owner(s) as to the just compensation to be paid by the City of Columbus, Ohio.

Section 3. That the Council of the City of Columbus, Ohio, hereby declares the value of the subject real property interests to be Thirty Thousand Six Hundred Dollars (\$30,600.00).

Section 4. That the City Attorney be and hereby is authorized to file a complaint for appropriation of real property, in a Court of competent jurisdiction, and to have a jury impaneled to make inquiry into and assess the just compensation to be paid for the foregoing described real property interests.

Section 5. That the expenditure of Thirty Thousand Six Hundred Dollars (\$30,600.00), or so much thereof as may be necessary, from the 1991 Voted Sanitary Bond Fund, be and hereby is authorized as follows:

Project #	Fund #	Dept./Div.	OCA Code	Minor Object	AC #	Amount
650033	664	60-05	651033	6601	AC015349\$	30,600.00

Section 6. That for the reasons state in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0572-03

To authorize the City Attorney to modify the existing contract with watt, Tieder, Hoffar & Fitzgerald, LLP for legal consulting services in connection with the Big Walnut Augmentation / Rickenbacker Interceptor (BWARI) Project, to waive the competitive bidding provisions of Columbus City Codes, to authorize the additional expenditure of Seventy-Five Thousand Dollars (\$75,000.00), and to declare an emergency. (\$75,000.00)

WHEREAS, the City continues to need the services of special legal counsel and to assist in the large scale public works project known as BWARI; and

WHEREAS, the City Council pursuant to Ordinance No.1313-02, passed on July 29, 2002, did authorize the City Attorney to enter into an agreement for special legal counsel services with the law firm of Watt, Tieder, Hoffar & Fitzgerald, LLP; and

WHEREAS, by reason of all the foregoing an emergency exists in the usual daily operation of the City and for the further preservation of the public peace, health, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

SECTION 1. That the City Attorney be, and he is hereby authorized to modify existing Contract No. ELOO3 194 with Watt, Tieder, Hoffar & Fitzgerald, LLP for legal consulting services by increasing the maximum contract obligation by Seventy-Five Thousand Dollars and 00/100 (\$75,000.00). All other contract terms and conditions shall remain in full force and effect except for the maximum obligation.

SECTION 2. That the provisions of Chapter 329 Columbus City Codes relative to the procurement of professional services are hereby waived, such waiver being deemed to be in the best interests of the City for the reason that this is a continuation of an existing contract which requires specialized knowledge.

SECTION 3. That there is hereby appropriated and authorized to be expended the additional sum of Seventy-Five Thousand Dollars and 001100 (\$75,000.00) on Contract No. ELOO3 194 with Watt, Tieder, Hoffar & Fitzgerald, LLP and the City Auditor is authorized to draw warrants upon the treasury for services thereunder upon receipt of invoices approved by the Sewers and Drains Division. Said expenditures shall be from Division 60-05, Fund No.664, Object Level Three 6676, Project Account 650491 and OCA Code 650491.

SECTION 4. That for the reasons set forth in the preamble hereto which is hereby incorporated herein by reference, this measure is hereby deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and the same shall take effect and be in force from and immediately after its passage and signature by the Mayor or within ten (10) days thereafter if the Mayor neither signs nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0573-03

To authorize the City Attorney to modify a professional service contract with Squire, Sanders & Dempsey, for legal representation in Sierra Club V. Columbus, to authorize the appropriate expenditure of up to Two Hundred and Fifty Thousand Dollars and to waive the competitive bidding requirements of the Columbus City Codes and to declare an emergency. (\$250,000.00)

WHEREAS, an emergency exists in the usual daily operations of City Council and the City Attorney's Office in that it is immediately necessary to modify the contract for professional services to provide legal representation in Sierra Club v. Columbus, thereby preserving the public peace, property, health or safety, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO

SECTION 1. The City Attorney is authorized to modify a professional service contract for legal representation with Squire, Sanders & Dempsey, in the case Sierra Club V. Columbus and related matters. Pursuant to Section 329.27, the procurement requirements of 329.10, 329.11, and 329.12 be and are hereby waived, Council determining by this ordinance that such waiver is in the best interest of the City.

SECTION 2. That the expenditure of up to \$250,000.00 is hereby authorized from Department 60-05, Object Level One 03, Object Level Three 3324, OCA Code 605006, Fund 650 in order to fund said contract, and the Auditor is hereby authorized to draw warrants upon the Treasury for services performed under the contract upon receipt of invoices approved by the City Attorney to a maximum of \$250,000.00, unless further modified.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby deemed to be an emergency measure shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0574-03

To authorize and direct the Finance Director to enter into contract with Public Safety Systems Incorporated for the Department of Public Safety for the purchase of upgraded CAD software, installation, training and associated enhancements, and to authorize the expenditure of \$636,560.00 from the Law Enforcement Block Grant Funds, an Ohio Department of Transportation CAD grant, General Permanent Improvement Fund and the General Fund and to declare an emergency. (\$636,560.00)

WHEREAS, The State of Ohio, Department of Transportation (ODOT) needs to have access to real-time data from the Department of Public Safety's Computer Aided Dispatch System (CAD) to provide the traveling public with real4ime notification of freeway incidents/accidents as part of its Freeway Management System (FMS) in the Columbus metropolitan area; and

WHEREAS, the Department of Public Safety wants to upgrade the PSSI CAD software to its most current version and purchase additional system enhancements to; allow for additional functionality, upgrade and enhance the system for receiving and transmitting information from the hearing impaired, to provide access to more accurate information, to provide ODOT with the required data in the timely manner needed; and

WHEREAS, ODOT wants to provide funds to facilitate the Department of Public Safety's CAD System Enhancement Project and contract with the City for services to provide ODOT with real-time CAD data; and

WHEREAS, the City issued an RFP in 1990 for the purpose of purchasing a CAD system. As a result of the RFP, a contract was awarded to HP/PSSI, ordinance # was 3269-90, contract number CT-12682, signed on February 5, 1991, the original purchase contract was for \$1,845,052.40, and

WHEREAS, in 1991 the Department of Public Safety purchased a Computer Aided Dispatch (CAD) system from Public Safety Systems,

Inc. (PSSI) based on the results of the RFP for the Divisions of Police and Fire to dispatch, track and monitor all emergency 911 calls and calls for service, and

WHEREAS, PSSI has engaged in yearly maintenance and support contracts with the City subsequent to the original contract, therefore, it is in the best interest of the City to upgrade its current P551 software and enter into contract to purchase from PSSI, Inc., the software, installation, training and enhancements, under the provisions of Section 329.07(c) (sole source) of the Columbus City Codes, 1959.

WHEREAS, the Department of Public Safety will utilize the Ohio Department of Transportation CAD grant funds, 2001 and 2002 Local Law Enforcement Block Grant (LLEBG) funds, General Permanent Improvement Fund and General Funds to purchase the upgraded PSSI CAD software and purchase additional system enhancements; and

WHEREAS, an emergency exists in the usual operation Department of Public Safety, in that it is immediately necessary to enter into contract with The State of Ohio, Department of Transportation so as to facilitate the CAD Enhancement Project in order maintain the system for the preservation of public health, peace, property, safety and welfare; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Finance Director be and hereby authorized to enter into contract in the total amount of \$636,560.00 with Public Safety Systems Incorporated for the purchase of upgraded CAD software, installation, training and associated enhancements, for the Department of Safety.

Section 2. That this purchase is being pursued in accordance with 329.07 (c) sole source provisions of the Columbus City Code, 1959.

Section 3. That the expenditure of \$636,560.00 or so much thereof as may be needed, be and the same is hereby authorized is follows:

Division	Fund	Obj. Lev 1	Obj. Lev 3	OCA	Grant #	Amount
30-01	220	02	2224	313001	313001	\$392,603.00
30-03	222	02	2224	338006	338006	\$ 47,672.00
30-03	222	02	2224	338007	338007	\$ 45,000.00
30-02	010	02	2224	301721		\$ 26,285.00
					Project#	
30-02	748	06	6649	320002	320002	\$125,000.00

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be enforced from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0575-03

To authorize the Director of Public Safety to enter into contract with The State of Ohio, Department of Transportation for the purpose of providing The State of Ohio, Department of Transportation real-time Computer Aided Dispatch System information, to authorize an appropriation of \$487,603.00 from the unappropriated General Government Grant fund to the Department of Public Safety for CAD Enhancement Project costs, and to authorize the Auditor to receive funds in the amount of \$487,603.00 as part of CAD Enhancement Project costs, and to declare an emergency. (\$487,603.00)

WHEREAS, The State of Ohio, Department of Transportation (ODOT) needs to have access to real-time data from the Department of Public Safety's Computer Aided Dispatch System (CAD) to provide the traveling public with real-time notification of freeway incidents/accidents as part of its Freeway Management System (FMS) in the Columbus metropolitan area; and

WHEREAS, The City must enhance its CAD System in order to provide ODOT with the required data in the timely manner needed; and

WHEREAS, ODOT wants to provide funds to facilitate the Department of Public Safety's CAD System Enhancement Project and contract with the City for services to provide ODOT with real-time CAD data; and

WHEREAS, an emergency exists in the usual operation Department of Public Safety, in that it is immediately necessary to enter into contract with The State of Ohio, Department of Transportation so as to facilitate the CAD Enhancement Project in order maintain the system for the preservation of public health, peace, property, safety and welfare; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Safety be and is hereby authorized and directed to enter into contract with The State of Ohio, Department of Transportation in order to facilitate the CAD Enhancement Project and provide ODOT with data services ODOT needs.

Section 2. That The State of Ohio, Department of Transportation will reimburse the City for \$487,603.00 as part of their costs in the CAD Enhancement Project.

Section 3. That from the unappropriated monies in the General Government Grant fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the contract period. The sum of \$487,603.00 is appropriated as follows:

Division	Fund	Obj. Lev. 1	Obj. Lev. 3	OCA	Grant #	Amount
30-01	220	02	2224	313001	313001	\$392,603.00
30-01	220	06	6647	313001	313001	\$ 95,000.00

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0576-03

To authorize the appropriation of \$65,000.00 and the transfer of \$3,700 within the 2001 Local Block Grant Funds of the Division of Police, to authorize the appropriation and transfer of \$285,900.00 within the unappropriated balance of the General Permanent Improvement Fund, and to authorize the transfer of \$56,000.00 within the General Fund, Division of Communications, and to declare an emergency. (\$410,600.00)

WHEREAS, the Department of Public Safety, Division of Police needs to transfer 2001 Local Law Enforcement Block Grant Funds from Character 03 and into Character 02 ; and

WHEREAS, the Departmental of Public Safety, Division of Police needs to appropriate funds from the unappropriated 2001 Local Block Grant Funds; and

WHEREAS, the Department of Public safety, Division of Communications needs to transfer 2003 General Funds from Character 03 and into Character 02 ; and

WHEREAS, the Department of Public Safety needs to appropriate and transfer funds from the unappropriated balance of the General Permanent Improvement Funds; and

WHEREAS, purchases from the aforementioned transfers and appropriations are needed to, in part, provide funds for the Department of Public Safety's Computer Aided Dispatch Enhancement Project; and

WHEREAS, an emergency exists in the usual operation Department of Public Safety, in that it is immediately necessary to utilize the funds in order to upgrade and enhance the CAD system in order maintain the system for the preservation of public health, peace, property, safety and welfare; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That \$3,700.00 of Division of Police's appropriated 2001 Local Block Grant Funds be transferred:

From:

Division	Fund	Obi. Lev. 1	Obi. Lev. 3	OCA	Grant #	Amount
30-03	222	03	3331	338006	338006	\$3,700.00

To:

Division	Fund	Obi. Lev. 1	Obi. Lev. 3	OCA	Grant #	Amount
30-03	222	02	2224	338006	338006	\$3,700.00

Section 2. That \$56,000.00 of appropriated Division of Communication's General Funds be transferred:

From

Division	Fund	Obi. Lev. 1	Obi. Lev. 3	OCA	Grant #	Amount
30-02	010	03	3372	301721		\$56,000.00

To

Division	Fund	Obi. Lev. 1	Obi. Lev. 3	OCA	Grant #	Amount
30-02	010	02	2224	301721		\$56,000.00

Section 3. That from the unappropriated monies in the 2001 Local Law Enforcement Block Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the specified grant cycle. The sum of \$65,000.00 is appropriated as follows:

Division	Fund	Obi. Lev. 1	Obi. Lev. 3	OCA	Grant #	Amount
30-03	222	02	2224	338006	338006	\$65,000.00

Section 4. That from the unappropriated monies in the General Permanent Improvement Fund the sum of \$285,900.00 is appropriated as follows:

Division	Fund	Obi. Lev. 1	Obi. Lev. 3	OCA	Project #	Amount
45-01	748	06	6621	643114	748999	\$285,900.00

Section 5. That from appropriated monies in the General Permanent Improvement Fund the sum of \$285,900.00 is transferred as follows:

From

Division	Fund	Obi. Lev. 1	Obi. Lev. 3	OCA	Project #	Amount
45-01	748	06	6621	643114	748999	\$285,900.00

To

Division	Fund	Obi. Lev. 1	Obi. Lev. 3	OCA	Project #	Amount
30-02	748	06	6649	320002	320002	\$285,900.00

Section 6. That the monies appropriated in the foregoing Sections shall be paid upon order of the Director of Public Safety; and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0577-03

To authorize the Development Director to amend the Brownfield Redevelopment Program contract with Columbus Urban Growth Corporation by extending the termination date to June 30, 2003; and to declare an emergency.

WHEREAS, it is necessary to amend the Brownfield Redevelopment Program contract with Columbus Urban Growth Corporation by extending the termination date to June 30, 2003, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to authorize the Director of Development to amend the contract with Columbus Urban Growth Corporation for the immediate preservation of the public health, peace, property, safety and welfare; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Development is hereby authorized to amend contract EL002142 with the Columbus Urban Growth Corporation to extend the termination date of the Brownfield Redevelopment Program contract to June 30, 2003.

Section 2. That this modification is made pursuant to Section 329.16 of the Columbus City Codes, 1959, as amended.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0578-03

To authorize the Director of the Development Department to execute those documents necessary to enter into an occupancy license agreement with Capitol South Community Urban Redevelopment Corporation to support the operation of the Downtown Development Resource Center located at 20 East Broad St.; to authorize the expenditure of \$22,500 from the General Fund; and to declare an emergency. (\$22,500)

WHEREAS, the Director of the Department of Development desires to enter into a occupancy license agreement with The Capitol South Community Urban Redevelopment Corporation (hereinafter "Capitol South"); and

WHEREAS, City staff have collaborated with Capitol South on the Downtown Development Resource Center, to encourage and facilitate the development of downtown; and

WHEREAS, the City of Columbus Downtown Development staff currently occupy and utilize the facilities located at 20 East Broad St.; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is necessary to immediately authorize the Development Director to execute those documents necessary to enter into an occupancy license agreement with Capitol South thereby preserving the public health, peace, property, safety, and welfare; and NOW, THEREFORE,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development be and is hereby authorized to execute those documents necessary to enter into an occupancy license agreement with The Capitol South Community Urban Redevelopment Corporation to support the operation of the Downtown Development Resource Center located at 20 East Broad St.

Section 2. That for the purpose as stated in Section 1, the expenditure of \$22,500.00, or so much thereof as may be necessary, be and is hereby authorized to be expended from the General Fund, Department of Development, Department No.44-01, Fund 010, Object Level One 03, Object Level Three 3301, OCA Code 440313.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0579-03

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-005) of 6.4091 Acres in Hamilton Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

WHEREAS, a petition for the annexation of certain territory in Hamilton Township was duly filed by James S. Russell on April 2, 2003; and WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area and within the South Central Accord planning area; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the city of Columbus will provide the following municipal services for 6.409+ acres in Hamilton Township upon the annexation of said area to the city of Columbus:

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety. Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City.

At the present time fire protection for the proposed annexation is as follows:

First response from: Station 22, 3069 Parsons Avenue, 10 Personnel / 3 Paramedics.

Apparatus responding: Paramedic/Engine, Medic, and Ladder.

Time: 12.0 minutes.

Second response from: Station 4, 3030 Winchester Pike, 10 Personnel / 5 Paramedics.

Apparatus responding: Paramedic/Engine, Rescue, Medic, and Haz Mat.

Time: 13.0 minutes.

Sanitation: Residential refuse collection services will be available upon annexation of the property.

Streets: Maintenance will be available for any additional right-of-way that may be included in this annexation request.

Water: This site can be served by an existing 12 inch main located in Rohr Road.

Sewer:

Sanitary Sewer: This site can be served by an existing 10 inch sewer located at the northwest corner of the property. Extension of this sewer is the responsibility of the property owner.

Storm Sewer: All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development.

All sanitary and storm sewers required shall be constructed privately by the owners/developers at their own cost and expense with no cost to the city.

Section 2. If this 6.409 acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within

Hamilton Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Hamilton Township. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0580-03

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-12) of 11.197+ Acres in Perry Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

WHEREAS, a petition for the annexation of certain territory in Perry Township was duly filed by Khempco Building Supply Company Limited Partnership on April 2, 2003; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area and within the Northwest Plan planning area; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the city of Columbus will provide the following municipal services for 11.1 97f acres in Perry Township upon the annexation of said area to the city of Columbus:

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety. Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City.

At the present time fire protection for the proposed annexation is as follows:

First response from: Station 11, 2200 Case Road, 11 Personnel/6 Paramedics.

Apparatus responding: Paramedic/Engine, Medic, Rescue, Battalion Chief, and EMS Supervisor.

Time: 5.0 minutes.

Second response from: Station 27, 7560 Smokey Row Road, 10 Personnel/3 Paramedics.

Apparatus responding: Paramedic/Engine, Medic, and Ladder.

Time: 7.0 minutes.

Sanitation: Residential refuse collection services will be available upon annexation of the property.

Streets: Maintenance will be available for any additional right-of-way that may be included in this annexation request.

Water: This site can be served by an existing 12 inch main located in Linworth Road.

Sewer:

Sanitary Sewer: This site is tributary to an existing 21 inch sub-trunk running east-west through the south portion of the tract.

Storm Sewer: All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development.

All sanitary and storm sewers required shall be constructed privately by the owners/developers at their own cost and expense with no cost to the city.

Section 2. If this 11.197 acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Perry Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Perry Township. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0581-03

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-011) of 2.3+ Acres in Washington Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

WHEREAS, a petition for the annexation of certain territory in Washington Township was duly filed by Dominion Homes, Inc. on April 2, 2003; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating

what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the city of Columbus will provide the following municipal services for 2.3f acres in Washington Township upon the annexation of said area to the city of Columbus:

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety. Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City.

At the present time fire protection for the proposed annexation is as follows:

First response from: Station 30, 3555 Fishinger Blvd., 6 Personnel / 3 Paramedics.

Apparatus responding: Paramedic/Engine, and Medic

Time: 11.0 minutes.

Second response from: Station 11, 2200 Case Road, 11 Personnel / 6 Paramedics.

Apparatus responding: Paramedic/Engine, Medic, Rescue, Battalion Chief, and EMS Supervisor.

Time: 13.0 minutes.

Sanitation: Residential refuse collection services will be available upon annexation of the property.

Streets: Maintenance will be available for any additional right-of-way that may be included in this annexation request.

Water: This site can be served by an existing main located over 1000 feet from the site in Wilcox Road. Extension to the site is the responsibility of the developer.

Sewer:

Sanitary Sewer: The proposed annexation is tributary to an existing 36 inch sewer located about 6500 feet to the northeast, This sewer is scheduled to be extended to the east side of the railroad tracks (about 2700 feet from the site) in 2004. Further extension will be the responsibility of the developer.

Storm Sewer: All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development.

All sanitary and storm sewers required shall be constructed privately by the owners/developers at their own cost and expense with no cost to the city.

Section 2. If this 2.3 acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Washington Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Washington Township. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0583-03

To authorize and direct the Director of Public Service to enter into a contract with Regency Centers Corporation for the purpose of installing and maintaining traffic control devices located at the intersection of Broad Street and Big Bear Center / East Pointe Crossing driveway for the East Point Crossing located at 6800 East Broad Street; and to declare an emergency.

WHEREAS, Regency Centers Corporation has agreed to pay for the maintenance of traffic control devices located at the intersection of Broad Street and the Big Bear Center / East Pointe Crossing driveway, and

WHEREAS, an emergency exists in the usual daily operation of the Transportation Division, Public Service Department, in that it is necessary for the Director of Public Service to enter into a contract with Regency Center Corporation for the purpose of maintaining a traffic control device, in accordance with the conditions on file in the office of the Director of Public Service, for the preservation of the public peace, property, health, and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Service be and is hereby authorized and directed to enter into a contract with Regency Centers Corporation; 4380 Malsbary Road, Suite 500; Cincinnati, Ohio 45242 (FED ID #59-3429602), for the purpose of maintaining traffic signal equipment for the East Pointe Crossing located at 6800 East Broad Street.

Section 2. That this contract shall be in accordance with the conditions on file in the office of the Director of Public Service.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0584-03

To authorize the Director of the Public Service Department to execute those documents required to transfer excess right-of-way identified as Lisle Alley from Jackson Street to Denton Alley, Denton Alley from Wager Street to Attn Street and Hope Alley from Denton Alley to Livingston Avenue to The Children's Hospital; to waive the competitive bidding provisions of Columbus City Codes; and to declare an emergency.

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, received a request from The Children's Hospital asking for the right to acquire excess right-of-way identified as Lisle Alley from Jackson Street to Denton Alley, Denton Alley from Wager Street to Attn Street and Hope Alley from Denton Alley to Livingston Avenue; and

WHEREAS, The Children's Hospital proposes to construct a Child Advocacy Center (the Center) on the block bounded by Livingston Avenue, Attn Street, Jackson Street and Wager Street; the property bounded by Parson Avenue, Jackson Street, Wager Street and Denton Alley and the property bounded by Livingston Avenue, Eighteenth Street, Denton Alley and Seventeenth Street will be developed as parking, in part to provide parking for the Center and in part to replace parking lost as a result of the construction of the Center; and

WHEREAS, after investigation it has been determined that there are no objections to the transfer of this right-of-way; and

WHEREAS, the Department of Law, Real Estate Division established a value of \$54,156.54 for this right-of-way; and

WHEREAS, The Children's Hospital has requested the mitigation of the \$54,186.54 for the following reasons: 1) The value of the land donations or other services made to the City by the petitioner; (The Division of Police will occupy approximately 2,200 square feet of space within the Center rent-free) and 2) The identification of improvements that further the general welfare of the City through significant improvements to the physical environment (The Center will be the first entirely new building in this area in some time; also the former salvage yard along Parsons Avenue will be redeveloped as a well-maintained parking lot in full compliance with the requirement of the Parsons Avenue Urban Commercial Overlay); and

WHEREAS, the Land Review Commission voted to recommend that this right-of-way be transferred to The Children's Hospital at no charge in recognition of these mitigating factors; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department in that it is immediately necessary to authorize the Director to execute those documents necessary to transfer this right-of-way so that construction of the proposed Child Advocacy Center can begin without delay thereby preserving the public health, peace, property, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Public Service Department be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer the following described right-of-way to The Children's Hospital at no charge; to-wit:

Lisle Alley

Situated in the State of Ohio, County of Franklin, City of Columbus, being all of the 20 foot wide alley, known as Lisle Alley, situated between Jackson Street (40 feet wide) and Denton alley (20 feet wide) of Swayne's Addition as shown and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 35 and as shown on the plat of survey by Meyers Surveying Company, dated January 10, 2003.

Denton Alley

Situated in the State of Ohio, County of Franklin, City of Columbus, being all of the 20 foot wide alley, known as Denton Alley, situated between Wager Street (40 feet wide) and Attn Street (40 feet wide) of Swayne's Addition as shown and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 35. The foregoing legal description was prepared from records only.

Hope Alley

Situated in the State of Ohio, County of Franklin, City of Columbus, being all of the 20 foot wide alley, known as Hope Alley, situated between E. Livingston Avenue (66 feet wide) and Denton alley (20 feet wide) of Swayne's Addition as shown and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 35. The foregoing legal description was prepared from records only.

Myers Surveying Co., Inc.

Albert J. Myers, P.S. 6579

Section 2. That the above referenced real property shall be considered excess road right-of-way and the public rights therein shall terminate upon the Director's execution and delivery of said quit claim deed to the grantee thereof

Section 3. That a general utility easement in, on, over, across and through the above described excess right-of-way shall be and hereby is retained unto the City of Columbus for those utilities currently located within said excess right-of-way.

Section 4. That upon notification and verification of the relocation or removal of all existing utilities the above referenced general utility easement reserved unto the City shall be terminated with no additional legislative action required.

Section 5. That this Council has determined it is in the best interest of the City of Columbus to allow these rights-of-way to be transferred without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (~959) Revised, Section 329.25 with regards to the transfer of these properties.

Section 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0585-03

To transfer funds between projects within 1995, 1999 Voted Streets and Highways Fund and to the Federal-State Highway Engineering Fund, to authorize the Public Service Director to modify and increase an existing contract with DLZ Ohio to provide for additional architectural design fees for the Main Street Bridge project for the Transportation Division, to authorize the expenditure of \$255,000.00 or so much thereof as may be needed from the Federal-State Highway Engineering Fund and to declare an emergency. (\$255,000.00)

WHEREAS, Contract #EA029453 for the design of the Main Street bridge was authorized by Ordinance #0424-01, which was authorized March 19, 2001, executed April 25, 2001, and approved by the City Attorney on April 26, 2001; and

WHEREAS, it is necessary to modify this contract to provide for additional design work; and

WHEREAS, a transfer of monies between projects and between Funds is necessary for this contract modification; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that the contract should be modified and increased immediately so that the work may proceed without delay, thereby preserving the public health, peace, property safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That funds be and hereby are authorized to be transferred between projects within the 1995, 1999 Voted Streets and Highways Fund, Fund 704, Transportation Division, Department No. 59-09 as follows:

TRANSFER FROM:

Project #	Project	O.L.01 / O.L.03 Code	OCA Code	Amount
530058	NCR#5	06/6600	644385	\$138,136.00
530161	Roadway Improvements	06/6600	644385	3,864.00
530208	Chatterton Road	06/6600	631713	99,000.00
530161	Misc. Const. Contingencies	06/6600	644385	14,000.00
Total transfer from:				\$255,000.00

TRANSFER TO:

Project#	Project	O.L.01 / O.L.03 Code	OCA Code	Amount
530999	Unallocated Balance	10/5501	640385	\$255,000.00
Total transfer to:				\$255,000.00

SECTION 2. That monies be transferred between Funds as follows:

TRANSFER FROM:

Fund	Project#	Project	O.L.01 / O.L.03 Code	OCA Code	Amount
704	530999	Unallocated Balance	10/5501	640385	\$255,000.00
Total transfer from:					\$255,000.00

TRANSFER TO:

Fund	Grant#	Grant	O.L.01 / O.L.03 Code	OCA Code	Amount
765	565185	Main Street Bridge	0886	640375	\$255,000.00
Total transfer to:					\$255,000.00

SECTION 3. That the Public Service Director be and hereby is authorized to modify and increase Contract #EA029453 with DLZ Ohio, Inc., 6121 Huntley Road, Columbus, Ohio 43229 by \$255,000.00 for additional work in accordance with the terms as shown on the modification on file in the office of the City Engineer, which are hereby approved.

SECTION 4. That the sum of \$255,000.00 or so much thereof as may be needed is hereby authorized to be appropriated and expended from the Federal-State Highway Engineering Fund. Fund 765, for the Transportation Division, Department No. 59-09, Object Level Three Code 06, Object Level Three Code 6682, OCA Code 640375 and Grant 565185.

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0586-03

To amend Ordinance Number 1923-02, passed December 9, 2002, to transfer the administration of the Tenant-Based Rental Assistance program to the Young Men's Christian Association (YMCA); and to declare an emergency.

WHEREAS, on December 9, 2002, Council passed Ordinance Number 1923-02 authorizing the Director of Development to enter into a contract with the Columbus Metropolitan Housing Authority (CMHA) for the purpose of administering the Tenant-based Rental Assistance Program (TBRA) on behalf of the City; and

WHEREAS, the TBRA will use ROME funds to provide rental subsidies and security deposits for chronically homeless persons participating in the Rebuilding Lives initiative; and

WHEREAS, it is now necessary to amend ordinance Number 1923-02 to change the program administrator from the Columbus Metropolitan Housing Authority (CMHA) to The Young Men's Christian Association (YMCA); and

WHEREAS, changing the program administrator will better serve the purpose of the program by more directly benefiting homeless persons participating in the Rebuilding Lives initiative; and

WHEREAS, rebuilding Lives enables the development and maintenance of permanent supportive housing for chronically homeless persons; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to amend Ordinance Number 1923-02, passed December 9, 2002, thereby preserving the public health, peace, property, safety, and welfare; and NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That Section 2 of Ordinance Number 1923-02, passed December 9, 2002, be amended to read as follows:

Section 2. That the Director of the Department of Development be and is hereby authorized to enter into a Contract with the Young Men's Christian Association (YMCA) in order to administer the tenant-based rental assistance program.

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0587-03

To authorize a supplemental appropriation of \$98,823 from the unappropriated balance of the Health Department Grants Fund for the HW Prevention grant program, and to declare an emergency. (\$98,823)

WHEREAS, \$98,823 in grant lands are available for 2003 personnel expenses for the HIV Prevention grant program landed by the Ohio Department of Health; and,

WHEREAS, this ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management; and,

WHEBEAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to appropriate the aforementioned grant lands for the immediate preservation of the public health, peace, property, safety and welfare; Now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That from the monies in the Fund known as the Health Department Grants Fund, Fund No.251 and from all monies estimated to come into said land from any and all sources during the 12 months ending December 31, 2003, the sum of \$98,823 is hereby appropriated to the Health Department, Department No.50-01, Grant No.503005, OCA Code 503005, Object Level One 01.

SECTION 2. That the monies appropriated in the foregoing Section 1 shall be paid upon the order of the Health Commissioner, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 3. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0588-03

To authorize and direct the Finance Director to enter into two contracts for an option to purchase PHS Pharmaceuticals, with Amerisource Bergen, and Bellco Drug Corporation, to authorize the expenditure of two dollars to establish contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00).

WHEREAS, the Purchasing Office advertised and solicited formal bids on February 27, 2003 and selected the lowest bids; and WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into two contracts for an option to purchase PHS Pharmaceuticals, thereby preserving the public health, peace, property, safety, and welfare; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into two contracts for an option to purchase PHS Pharmaceuticals in accordance with Solicitation No. SA000410DRM as follows:

<u>Company</u>	<u>Item(s)</u>	<u>Amount</u>
Amerisource Bergen (Primary Award)	1	\$1.00
Bellco Drug Corporation (Secondary Award)	1	\$1.00

SECTION 2. That the expenditure of \$2.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0589-03

To authorize the Director of the Department of Development to modify a contract with Continental Search, Inc. to extend the length of the contract twelve months; and to declare an emergency.

WHEREAS, the Director of the Department of Development desires to modify Contract No. DE010822 with Continental Search, Inc. by extending the length of the contract twelve months through December 31, 2003; and

WHEREAS, Continental Search, Inc. provides real estate title work necessary for loans and grants administered by the Housing Division; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to modify the contract with Continental Search, Inc., in order to preserve the public peace, health, safety, and welfare; and NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized to modify Contract No. DE0 10822 with Continental Search, Inc. (Contract Compliance Number 31 - 1589965) by extending the length of the contract twelve months through December 31,2003.

Section 2. That this modification is made pursuant to Section 329.16 of the Columbus City Codes, 1959 as amended.

Section 3. That in the reasons stated in the preamble hereto, which is hereby made a part thereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0590-03

To authorize an appropriation of \$5,072,975 and expenditure of \$4,652,028.75 from the HOME Fund to the Department of Development to provide funding for various approved 2003 programs; and to declare an emergency (\$5,072,975)

WHEREAS, it is necessary to appropriate funds from the unappropriated balance of the 2003 HOME Fund to the Department of Development; and

WHEREAS, HOME funds will be used to assist for-profit and non-profit developers with grants and no or low interest loans for projects designed to increase and preserve the local supply of decent, safe, sanitary, and affordable housing for low income families; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to appropriate and expend said funds thereby preserving the public health, peace, property, safety, and welfare; and NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That from the unappropriated monies in the fund known as the HOME fund, Fund No.201 and from all monies estimated to come

into said fund from any and all sources during the 12 months ending December 31, 2003, there be and hereby is appropriated to the following Division the following sums:

Division 44-10

PROGRAM	OBJECT LEVEL ONE	OBJECT LEVEL THREE	OCA CODE	GRANT	AMOUNT
Affordable Housing Opportunity Fund	05	5528	441131	458001	\$3,831,082.50
CRDO Set-aside (15%)	05	5528	441133	458001	\$ 820,946.25
HOME Administration	01	1101	441130	458001	\$ 107,297.50
	02	2201	441130	458001	\$ 10,000.00
	03	3331	441130	458001	\$ 30,000.00
	03	3336	441132	458001	\$ 273,648.75
			TOTAL FUND NO. 201		\$5,072,975.00

Section 2. That the monies appropriated in the foregoing Section 1 shall be paid upon the order of the Director of the Department of Development and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 3. That for the purpose as stated in Section 1, the expenditure of \$4,652,028.75 or so much thereof as May be necessary, is hereby authorized from the Department of Development, Division 44-10, Fund 201, Grant 458001, as follows:

Division 44-10

PROGRAM	OBJECT LEVEL ONE	OBJECT LEVEL THREE	OCA CODE	GRANT	AMOUNT
Affordable Housing Opportunity Fund	05	5528	441131	458001	\$3,831,082.50
CRDO Set-aside (15%)	05	5528	441133	458001	\$ 820,946.25
			TOTAL FUND NO. 201		\$4,652,028.75

Section 4. That the Director of the Department of Development is hereby authorized to assist for-profit and non-profit developers with grants and no or low interest loans for projects designed to increase and preserve the local supply of decent, safe, sanitary, and affordable housing for low income families.

Section 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0591-03

To authorize and direct the Board of Health to enter into a contract with Columbus Neighborhood Health Center, Inc. to provide primary health care services at community-based health centers; to authorize the expenditure of \$1,502,162 from the Health Special Revenue Fund; to waive the provisions of competitive bidding; and to declare an emergency. (\$1,502,162)

WHEREAS, the City of Columbus seeks to ensure primary health care services through various neighborhood health centers; and,

WHEREAS, it is necessary to contract with the Columbus Neighborhood Health Center, Inc. for the management and operations of the seven neighborhood health centers; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into a contract with Columbus Neighborhood Health Center, Inc. for the immediate preservation of the public health, peace, property, safety and welfare; Now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Board of Health is hereby authorized to enter into a contract with Columbus Neighborhood Health Center, Inc. for the provision of primary health care services through various neighborhood health centers from April 1, 2003 through June 30, 2003.

SECTION 2. That to pay the cost of said contract, the expenditure of \$1,502,162 is hereby authorized from the Health Special Revenue Fund, Fund No.250, Department of Health, Department No.50-01, Object Level One 03, Object Level Three 3337, OCA No.503219.

SECTION 3. That the provisions of Sections 329.13 and 329.14 of the Columbus City Code are hereby waived.

SECTION 4. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0592-03

To authorize the Director of Public Utilities to consent to the assignment of an existing lease agreement with Holt Company of Ohio to Ohio Machinery, and to declare an emergency.

WHEREAS, on May 13, 2002, under the authority of Ordinance Number 687-02, passed May 6, 2002, the City of Columbus entered into a lease agreement CT-00892-R with Holt Company of Ohio for the lease of a 1.068 acre tract of land which is part of a larger tract leased to the Solid Waste Authority of Central Ohio (SWACO) that is home to SWACO's Waste-To-Energy Facility; and

WHEREAS, Section 9 of agreement CT-00892-R provides for the assignment of the agreement; and

WHEREAS, Holt Company of Ohio has requested the City to sign a consent to assign the agreement to Ohio Machinery; and

WHEREAS, it is in the best interest of the City of Columbus to consent to the assignment of the contract to Ohio Machinery; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Electricity, in that it is immediately necessary to consent to the assignment of an existing lease agreement with Holt Company of Ohio to Ohio Machinery for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities be and hereby is authorized to execute a consent to the assignment of Contract CT-00892-R from Holt Company of Ohio to Ohio Machinery for the lease of a 1.068 acre tract of land which is part of a larger tract leased to the Solid Waste

Authority of Central Ohio (SWACO) that is home to SWACO's Waste-To-Energy Facility, and such other documents as are incident to and necessary to such assignment as are approved by the City Attorney.

SECTION 2. That for the reasons stated in the preamble hereto, which is hereby made apart hereof, this ordinance is declared to be an emergency measure and shall be in force from and after its passage and approval by the mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0593-03

To amend the 2002 Capital Improvements Budget Ordinance 1674-02 in order to reflect encumbrance cancellations that will provide additional budget authority for Division of Electricity capital projects and to declare an emergency. (\$54,360)

WHEREAS, the Division of Electricity has cancelled two encumbrances and now requests additional budget authority that will allow for the expenditure of these funds,

WHEREAS, an emergency exists in the usual daily operation of the Division of Electricity, in that it is necessary to execute those documents necessary for the purchase of street lighting for the immediate preservation of the public health, peace, prosperity and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1: That the 2002 Capital Improvements Budget Ordinance 1674-02 is hereby amended as follows, in order to provide sufficient budget authority for the execution of budget projects.

CURRENT:

Fund	Project No.	Project Title	2002 Budget Amount
553	670180	Northmoor Street Lighting	\$20,362
582	670003	Street Lighting	\$0

AMENDED:

Fund	Project No.	Project Title	2002 Amended Budget	Change
553	670180	Northmoor Street Lighting	\$66,722	\$46,360
582	670003	Street Lighting	\$8,000	\$8,000

SECTION 2: That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

RESOLUTIONS**RES NO. 076X-03**

To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the Big Run Sanitary Subtrunk Project, and to declare an emergency.

WHEREAS, the City of Columbus is engaged in the Big Run Sanitary Subtrunk Project; and,
WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to declare the necessity and intent to appropriate permanent and construction easements in, over, under and through the hereinbefore described real estate necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That this Council hereby declares the necessity and intent to appropriate permanent and construction easements in, over, under and through the following described real estate necessary for the Big Run Sanitary Subtrunk Project, Project #650489, pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

2T

**TEMPORARY SANITARY SEWER EASEMENT
BIG RUN SOUTH SUBTRUNK SEWER
NELSON AND MARY SMITH PROPERTY
TAX PARCEL NO.160-000889**

Situated in the Township of Jackson, County of Franklin, State of Ohio, Virginia Military Survey No.2442 and 5745, and being an easement over part of a tract of land conveyed to Nelson and Mary Smith by OR. 17838J15, of the Deed Records of Franklin County, Ohio; said easement being bounded by a line more particularly described as follows:

Beginning at a point in the Northerly right of way line of Big Run South Road, said point also being on the Easterly property line of said Smith tract, said point also being the TRUE POINT OF BEGINNING of said easement;

Thence North 09° 43' 00" East with the Easterly Smith property line a distance of 12.30 feet to a point;

Thence South 64° 06' 00" West a distance of 145.79 feet to a point on the Westerly Smith property line;

Thence South 01° 27' 00" West with said Westerly property line a distance of 11.26 feet to a point on said right-of-way line;

Thence North 64° 06' 00" East with said right-of-way line a distance of 143.79 feet to the True Point of Beginning;

Containing 0.033 acres more or less.

Bearings herein are based on the description of the tract conveyed to Nelson and Mary Smith by deed recorded in OR. 17838J15 of the Deed Records of Franklin County, Ohio.

Karim S. Mohamed 02-07-03, Registered Surveyor No.7947

3T

**TEMPORARY SANITARY SEWER EASEMENT
BIG RUN SOUTH SUBTRUNK SEWER
FREDERICK & REAH IVES PROPERTY
TAX PARCEL NO.160-000919**

Situated in the Township of Jackson, County of Franklin, State of Ohio, Virginia Military Survey No.2442 and 5745, and being an easement over part of a tract of land conveyed to Frederick and Reah Ives by O.R. 30274E05, of the Deed Records of Franklin County, Ohio; said easement being bounded by a line more particularly described as follows:

Beginning North 09° 43' 00" East with the Easterly Ives property line a distance of 12.30 feet to a point;

Thence South 64° 06' 00" West a distance of 123.01 feet to a point on the Westerly Ives property line;

Thence South 09° 43' 00" West with said right of way line a distance of 12.30 feet to a point on said right of way line;

Thence North 64° 06' 00" East with said right of way line a distance of 123.01 feet to the True Point of Beginning;

Containing 0.028 acres more or less.

Bearings herein are based on the description of the tract conveyed to Fredrick and Reah Ives by deed recorded in O.R. 3027E05 of Deed Records of Franklin County, Ohio.

Karim S. Mohamed 2-7-03, Registered Surveyor No.7947

4T

**TEMPORARY SANITARY SEWER EASEMENT
BIG RUN SOUTH SUBTRUNK SEWER
HERBERT LEACH PROPERTY-TRACT 1
TAX PARCEL NO.160-001274**

Situated in the Township of Jackson, County of Franklin, State of Ohio, Virginia Military Survey No.2442 and 5745, and being an easement over part of a tract of land conveyed to Herbert Leach by Deed Book 1729, Page 100, of the Deed Records of Franklin County, Ohio; said easement being bounded by a line more particularly described as follows:

Beginning at point in the Northerly right-of-way line of Big Run South Road, said point also being on the Easterly property line of said Leach tract, said point also being the TRUE POINT OF BEGINNING of said easement;

Thence North 09° 43' 00" East with the Easterly Leach property line a distance of 12.30 feet to a point;

Thence South 64° 06' 00" West a distance of 123.01 feet to a point on the Westerly Leach property line;

Thence South 09° 43' 00" West with said Westerly property line a distance of 12.30 feet to a point on said right-of-way line;

Thence North 64° 06' 00" East with said right of way line a distance of 123.01 feet to the True Point of Beginning;

Containing 0.028 acres more or less.

Bearings herein are based on the description of the tract conveyed to Herbert Leach by deed recorded in Deed Book 1729, Page 100, of the Deed Records of Franklin County Ohio.

Karim S. Mohamed 2/7/03, Registered Surveyor No.7947

**5T
TEMPORARY SANITARY SEWER EASEMENT
BIG RUN SOUTH SUBTRUNK SEWER
HERBERT LEACH PROPERTY-TRACT 2
TAX PARCEL NO.160-001273**

Situated in the Township of Jackson, County of Franklin, State of Ohio, Virginia Military Survey No.2442 and 5745, and being an easement over part of a tract of land conveyed to Herbert Leach by Deed Book 1729, Page 100, of the Deed Records of Franklin County, Ohio; said easement being bounded by a line more particularly described as follows:

Beginning at a point in the Northerly right-of-way line of Big Run South Road, said point also being on the Easterly property line of said Leach tract, said point also being the TRUE POINT OF BEGINNING of said easement;

Thence North 09° 43' 00" East with the Easterly Leach property line a distance of 12.30 feet to a point;
Thence South 64° 06' 00" West a distance of 123.01 feet to a point on the Westerly Leach property line;
Thence South 09° 43' 00" West with said Westerly property line a distance of 12.30 feet to a point on said right-of-way line;
Thence North 64° 06' 00" East with said right-of-way line a distance of 123.01 feet to the True Point of Beginning;
Containing 0.028 acres more or less.

Bearings herein are based on the description of the tract conveyed to Herbert Leach by deed recorded in Deed Book 1729, Page 100, of the Deed Records of Franklin County, Ohio

Karim S. Mohamed 2/7/03, Registered Surveyor No.7947

**6T
TEMPORARY SANITARY SEWER EASEMENT
BIG RUN SOUTH SUBTRUNK SEWER
RODNEY AND SAWN DAY PROPERTY
TAX PARCEL NO.160-001056**

Situated in the Township of Jackson, County of Franklin, State of Ohio, Virginia Military Survey No.2442 and 5745, and being an easement over part of a tract of land conveyed to Rodney L. and Sawn R. Day by Instrument 199903150063375, of the Deed Records of Franklin County, Ohio, said easement being bounded by a line more particularly described as follows:

Beginning at a point in the Northerly right-of-way line of Big Run South Road, said point also being on the Easterly property line of said Day tract, said point also being the TRUE POINT OF BEGINNING of said easement;

Thence North 09° 43' 00" East with the Easterly Day property line a distance of 12.30 feet to a point,
Thence South 64° 06' 00" West a distance of 123.01 feet to a point on the Westerly Day property line;
Thence South 09° 43' 00" West with said Westerly property line a distance of 12.30 feet to a point on said right-of-way line;
Thence North 64° 06' 00" East with said right-of-way line a distance of 123.01 feet to the True Point of Beginning;
Containing 0.028 acres more or less.

Bearings herein are based on the description of the tract conveyed to Rodney and Sawn Day by deed recorded in Instrument 199903150063375 of the Deed Records of Franklin County, Ohio

Karim S. Mohamed 2/7/03, Registered Surveyor No.7947

**7T
TEMPORARY SANITARY SEWER EASEMENT
BIG RUN SOUTH SUBTRUNK SEWER
GOPAL AND HOPE NMDU PROPERTY
TAX PARCEL NO.160-001272**

Situated in the Township of Jackson, County of Franklin, State of Ohio, Virginia Military Survey No.2442 and 5745, and being an easement over part of a tract of land conveyed to Gopal and Hope Naidu by Instrument 199711200148752, of the Deed Records of Franklin County, Ohio; said easement being bounded by a line more particularly described as follows:

Beginning at a point in the Northerly right-of-way line of Big Run South Road, said point also being on the Easterly property line of said Naidu tract, said point also being the TRUE POINT OF BEGINNING of said easement;

Thence North 09° 43' 00" East with the Easterly Naidu property line a distance of 12.30 feet to a point;
Thence South 64° 06' 00" West a distance of 369.03 feet to a point on the Westerly Naidu property line;
Thence South 09° 43' 00" West with said Westerly property line a distance of 12.30 feet to a point on said right of way line;
Thence North 64° 06' 00" East with said right of way line a distance of 369.03 feet to the True Point of Beginning;
Containing 0.085 acres more or less.

Bearings herein are based on the description of the tract conveyed to Gopal and Rope Naidu by deed recorded in Instrument 199711200148752 of the Deed Records of Franklin County Ohio.

Karim S. Mohamed 2/7/03, Registered Surveyor No.7947

**8T
TEMPORARY SANITARY SEWER EASEMENT
BIG RUN SOUTH SUBTRUNK SEWER
HERBERT AND MYRTLE AKERS PROPERTY
TAX PARCEL NO.160-001104**

Situated in the Township of Jackson, County of Franklin, State of Ohio, Virginia Military Survey No.2442, and being an easement over part of a tract of and conveyed to Herbert and Myrtle Akers by Deed Book 3159, Page 611, of the Deed Records of Franklin County, Ohio, said easement being bounded by a line more particularly described as follows:

Beginning at a point in the Northerly right of way line of Big Run South Road, said point also being on the Easterly property line of said Akers tract, Said point also being the TRUE POINT OF BEGINNING of said easement;

Thence North 09° 43' 00" East with the Easterly Akers property line a distance of 12.30 feet to a point;
Thence South 64° 06' 00" West a distance of 123.01 feet to a point on the Westerly Akers property line;
Thence South 09° 43' 00" West with said Westerly property line a distance of 12.30 feet to a point on said right of way line;
Thence North 64° 06' 00" East with said right of way line a distance of 123.01 feet to the True Point of Beginning;
Containing 0.028 acres more or less

Bearings herein are based on the description of the tract conveyed to Herbert and Myrtle Akers by deed recorded in Deed Book 3159, Page 611, of the Deed Records of Franklin County, Ohio.

Karim S. Mohamed 2/7/03 Registered Surveyor No.7947

9T
TEMPORARY SANITARY SEWER EASEMENT
BIG RUN SOUTH SUBTRUNK SEWER
JOHN AND COLLEEN CHANNEL PROPERTY
TAX PARCEL NO.160-002823

Situated in the Township of Jackson, County of Franklin County, State of Ohio, Virginia Military Survey No.2442, and being an easement over part of a tract of land conveyed to John and Colleen Channel by O.R. 028628C02, of the Deed Records of Franklin County, Ohio; said easement being bounded by a line more particularly described as follows:

Beginning at a point in the Northerly right of way line of Big Run South Road, said point also being on the Easterly property line of said Channel tract, Said point also being the TRUE POINT OF BEGINNING of said easement;

Thence North 56° 32' 20" West with the Easterly Channel property line a distance of 15.06 feet to a point;

Thence South 54° 41' 11" West a distance of 195.54 feet to a point;

Thence South 64° 06' 00" West a distance of 94.54 feet to a point on the Westerly Channel property line;

Thence South 12°38' 13" West with said Westerly property line a distance of 12.30 feet to a point on said right of way line;

Thence North 63° 43' 31" East with said right of way line a distance of 223.60 feet to an angle point;

Thence North 48° 45' 23" East with said right of way line a distance of 56.12 feet to an angle point;

Thence North 35° 54' 34" East with said right of way line a distance of 29.42 feet to the True Point of Beginning;

Containing 0.120 acres more or less.

Bearings herein are on the description of the tract conveyed to John and Colleen Channel by deed recorded in O.R. 028628 C02 of the Deed Records of Franklin County, Ohio.

Karim S. Mohamed 2/7/03

Registered Surveyor No.7947

10T
TEMPORARY SANITARY SEWER EASEMENT
BIG RUN SOUTH SUBTRUNK SEWER
ROBERT AND BRENDA LOCKE PROPERTY
TAX PARCEL NO.160-002843

Situated in the Township of Jackson, County of Franklin, State of Ohio, Virginia Military Survey No.2442, and being an easement over part of a tract of land conveyed to Robert and Brenda Locke by O.R. 015799J04, of the Deed Records of Franklin County, Ohio; said easement being bounded by a line more particularly described as follows:

Beginning at a point in the Northerly right of way line of Big Run South Road, said point also being on the Northerly property line of said Locke tract, Said point also being the TRUE POINT OF BEGINNING of said easement;

Thence North 56° 32' 20" West with the Northerly Locke property line a distance of 15.06 feet to a point;

Thence South 38° 31' 55" West a distance of 265.53 feet to a point on the Southerly Locke property line;

Thence South 56° 32' 20" East with said Southerly property line a distance of 15.06 feet to a point on said right of way line;

Thence North 38° 31' 55" East with said right of way line a distance of 265.53 feet to the True Point of Beginning;

Containing 0.091 acres more or less.

Bearings herein are based on the description of the tract conveyed to Robert and Brenda Locke by deed recorded in O.R. 015799J04, of the Deed Records of Franklin County, Ohio.

Karim S. Mohamed 2/7/03

Registered Surveyor No.7947

11T
TEMPORARY SANITARY SEWER EASEMENT
BIG RUN SOUTH SUBTRUNK SEWER
CHARLES THOMAS PROPERTY
TAX PARCEL NO.160-002856

Situated in the Township of Jackson, County of Franklin, State of Ohio, Virginia Military Survey No.2442, and being an easement over part of a tract of land conveyed to Charles Thomas by O.R. 16330H20, of the Deed Records of Franklin County, Ohio; said easement being bounded by a line more particularly described as follows:

Beginning at a point in the Northerly right-of-way line of Big Run South Road, said point also being on the Northerly property line of said Thomas tract, said point also being the TRUE POINT OF BEGINNING of said easement;

Thence North 56° 32' 20" West with the Northerly Thomas property line a distance of 15.06 feet to a point;

Thence South 38° 31' 55" West a distance of 199.66 feet to a point on the Southerly Thomas property line;

Thence South 56° 32' 20" East with said Southerly property line a distance of 15.06 feet to a point on said right of way line;

Thence North 38° 31' 55" East with said right of way line a distance of 199.66 feet to the True Point of Beginning;

Containing 0.069 acres more or less.

Bearings herein are based on the description of the tract conveyed to Charles Thomas by deed recorded in O.R. 16330H20, of the Deed Records of Franklin County, Ohio.

Karim S. Mohamed 2/7/03, Registered Surveyor No.7947

12T
TEMPORARY SANITARY SEWER EASTMENT
BIG RUN SOUTH SUBTRUNK SEWER
JOHN AND CAROL BENNETT PROPERTY
TAX PARCEL NO. 160-002864

Situated in the Township of Jackson, County of Franklin, State of Ohio, Virginia Military Survey No.2442, and being an easement over part of a tract of land conveyed to John and Carol Bennett by OR. 016887A08, of the Deed Records of Franklin County, Ohio; said easement being bounded by a line more particularly described as follows;

Beginning at a point in the Northerly right-of-way line of Big Run South Road, said point also being on the Northerly property line of said Bennett tract, Said point also being the TRUE POINT OF BEGINNING of said easement;

Thence North 62° 42' 08" West with the Northerly Bennett property line a distance of 15.30 feet to a point;

Thence South 38° 31' 55" West a distance of 237.84 feet to a point on the Southerly Bennett property line;

Thence South 56° 32' 20" East with said Southerly property line a distance of 15.06 feet to a point on said right of way line;

Thence North 38° 31' 55" East with said right of way line a distance of 239.52 feet to the True Point of Beginning,

Bearings herein are based on the description of the tract conveyed to John and Carol Bennett by O.R. 016887A08, of the Deed Records of Franklin County, Ohio.

Karim S. Mohamed 217/03, Registered Surveyor No.7947

13T
TEMPORARY SANITARY SEWER EASEMENT
BIG RUN SOUTH SUBTRUNK SEWER
KEVIN AND SANDRA KRONK PROPERTY
TAX PARCEL NO.140-000389

Situated in the Township of Jackson, County of Franklin, State of Ohio, Virginia Military Survey No.2442, and being an easement over part of a tract of land conveyed to Kevin and Sandra Kronk by O.R. 13999D18, of the Deed Records of Franklin County, Ohio; said easement being bounded by a line more particularly described as follows:

Beginning at a point in the Northerly right-of-way line of Big Run South Road, said point also being on the Northerly property line of said Kronk tract, Said point also being the TRUE POINT OF BEGINNING of said easement;

Thence North 69° 04' 14" West with the Northerly Kronk property line a distance of 15.74 feet to a point;

Thence South 38° 31' 55" West a distance of 97.89 feet to a point on the Southerly Kronk property line;

Thence South 72° 21' 16" East with said Southerly property line a distance of 16.05 feet to a point on said right of way line;

Thence North 38° 31' 55" East with said right of way line a distance of 96.93 feet to the True Point of Beginning;

Containing 0.034 acres more or less.

Bearings herein are based on the description of the tract conveyed to Kevin and Sandra Kronk by O.R. 13999D1 8, of the Deed Records of Franklin County, Ohio.

Karim S. Mohamed 2/7/03, Registered Surveyor No.7947

14T
PERMANENT SANITARY SEWER EASEMENT
BIG RUN SOUTH SUBTRUNK SEWER
JAMES AND BARBARA HICKMAN PROPERTY
TAX PARCEL NO.160-002748

Situated partially in the Township of Jackson and partially in the Township of Franklin, County of Franklin, State of Ohio, Virginia Military Survey No.2442, and being an easement over part of a tract of land conveyed to James L. Hickman and Barbara S. Hickman by O.R. 33406E14, of the Deed Records of Franklin County, Ohio; said easement being bounded by a line more particularly described as follows:

Beginning at a point in the Southerly right of way line of Big Run South Road, said point also being on the Northerly property line of said Hickman tract, Said point also being the TRUE POINT OF BEGINNING of said easement;

Thence South 38° 40' 05" East with the Easterly Hickman property line a distance of 359.63 feet to a point;

Thence South 48° 19' 13" West a distance of 25.00 feet to a point;

Thence North 38° 40' 05" West a distance of 355.29 feet to a point in said right of way line;

Thence North 38° 34' 45" East with said right of way line a distance of 25.60 feet to the True Point of Beginning;

Containing 0.205 acres more or less.

Bearings herein are based on the description of the tract conveyed to James L.

Hickman and Barbara S. Hickman by O.R. 33406E14, of the Deed Records of Franklin County, Ohio.

Karim S. Mohamed 2/7/03, Registered Surveyor No.7947

Section 2. That the City Attorney be and hereby is authorized to cause a written notice of the adoption of this resolution to be served upon the owners, persons in possession of or persons having a real or possible interest of record in the above described premises in the manner provided by law.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same.

Adopted April 14, 2003 Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk.

RES NO. 077X-03

To acknowledge and congratulate the City of Columbus' Keep Columbus Beautiful for its service to the Columbus community and to declare April 2003 Keep Columbus Beautiful Great American Cleanup™ Month.

WHEREAS, the City Council of the City of Columbus, along with the City Administration, allocates public resources to aid in the growth development, and protection of Columbus' neighborhoods citywide; and

WHEREAS, City Council recognizes, encourages and works closely with area and neighborhood organizations citywide - from official area commissions to neighborhood block watches; and

WHEREAS, City Council recognizes and appreciates the hard work and effort on the part of the City of Columbus' Keep Columbus Beautiful; and

WHEREAS, Keep Columbus Beautiful is an affiliate of Keep America Beautiful, Inc., a national non-profit organization dedicated to helping individuals improve their community environment, and Keep America Beautiful celebrates its 50th Anniversary in 2003 and has established the Great American Cleanup™ as its signature national effort for involving American citizens in environmental stewardship; and

WHEREAS, the President of the United States of America has recognized the important commitment to improve American communities through litter prevention, beautification and solid waste management initiatives and has assumed the title of Honorary Chair of Keep America Beautiful's Great American Cleanup™; now therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council does hereby add the voice of City Council to that of the Administration of the City of Columbus in proclaiming this month, April 2003, Keep Columbus Beautiful's Great American Cleanup™ month and with the Administration, call upon our citizens to join in activities that promote responsible environmental stewardship and help us renew our commitment to building a better world today and for future generations

BE IT FURTHER RESOLVED

That a copy of this Resolution be presented to the Keep Columbus Beautiful as a token of our esteem.

Adopted April 14, 2003 Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk.

RES NO. 078X-03

To Celebrate "Hey, Columbus.... What's on your Head" month in Columbus, Ohio, which honors the rich history and long tradition of the making and wearing of hats.

WHEREAS, this council commends the Columbus Recreation and Parks Department's Cultural Arts Center in presenting a month-long, community-wide celebration focused on the rich history and long and glorious tradition of the making and wearing of hats; and,

WHEREAS, this council officially proclaims April 17 - May 17 2003 as "Hey, Columbus.. What's on Your Head?! Month; and,

WHEREAS, we recognize Target Corporation, The Columbus Foundation and the Columbus Dispatch for being partners in this initiative; and,

WHEREAS, this council invites residents to attend "100 Years of Hats" an exhibit held at the Cultural Arts Center, April 18 - May 17, 2003, which includes: Theatrical Hats and Headdresses; Antique Hat Conformer; Millinery Patterns, Tools and Photographs; and Red Hat Society Hats; and,

WHEREAS, this Council designates Friday, May 9, 2003, as the official "Columbus Wear-Your-Hat Day" where residents are encouraged to wear their hats, either store-bought or handmade, to make a statement about our community spirit, expressiveness and love of the arts; and,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council does hereby Celebrate "Hey, Columbus What's on your Head" month in Columbus, Ohio, which honors the rich history and long tradition of the making and wearing of hats.

Adopted April 14, 2003 Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk.

RES NO. 079X-03

To provide a resolution of support for the Lillian Idella Shorter Family Memorial Peace Garden and the Urban Environmental Learning Space in their bid to secure funding from the Clean Ohio Conservation Fund.

WHEREAS, City of Columbus does not currently own nor have the resources to maintain the Lillian Idealla Shorter Family Memorial Peace Garden but believe it to be a worthwhile project; and

WHEREAS, The purpose of the Lillian Idella Shorter Family Memorial Peace Garden and Urban Environmental Learning Space is to preserve and make available to children the small natural woods that exists in Shepard, an area with relatively high unemployment and lower incomes; and

WHEREAS, This rare inner-city green space forested with large 80-100 year old pin oaks, American elm, silver maple and other interesting trees and shrubs is being enhanced to provide an opportunity for area school children to have an authentic woods experience close to home; and

WHEREAS, These children often do not have the opportunity or means to visit Metro parks or other more distant woods. The peace garden and urban learning center will be available to individual and small groups for ceremonies, celebrations and guided educational experiences; and

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That City Council commends this Declaration for consideration of all citizens.

Adopted April 14, 2003 Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk.

RES NO. 080X-03

To recognize April 13 - 20, 2003 as National Infant Immunization Week.

WHEREAS, immunizations are one of the easiest, most important and cost-effective ways parents can protect their children from potentially life-threatening diseases; and

WHEREAS, the Columbus Health Department has immunized hundreds infants and children; and

WHEREAS, for every dollar spent on vaccinations to prevent disease, at least \$10 is saved in future health care costs; and

WHEREAS, in Franklin County at least one in four children are not fully immunized and at risk of contracting diseases; and

WHEREAS, the staff of Project L.O.V.E. and the Columbus Health Department's Communicable Disease Prevention Team are to be commended for their efforts with Columbus Public Schools, CareSource, Mayor's Office of Education, Cap City Kids, WBNS 10TV, Columbus City School Nurses, Ohio Health, The Ohio State University Medical Center, If My People's Ministries, CHD's Office of Minority Health, Franklin County Board of Health and Children's Hospital to increase the rate of immunization in Franklin County, and thus enabling the continuation efforts to intervene with the most difficult to reach children; now, therefore

BE IT RESOLVED BY THE COLUMBUS CITY COUNCIL:

That the Columbus City Council recognizes April 13-20, 2003 as National Infant Immunization Week.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That each of us as community members and parents recognize and support the importance of childhood immunizations in making Columbus the Healthiest City in America.

Adopted April 14, 2003 Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk.

BIDS WANTED - PURCHASING OFFICE

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if a corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE:

Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article 1, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

WITHHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX: All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

LOCAL CREDIT: For all contracts except professional service contracts: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$20,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSAL CALL (614) 645-7599

BID OPENING DATE 04/24/03**BID FOR TRUCK MOUNTED COMBINATION SEWER CLEANER**

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on APRIL 24, 2003 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: SEWERAGE & DRAINAGE

Bid for TRUCK MOUNTED COMBINATION SEWER CLEANER Solicitation No. SA-000432 GRW in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director

(04/05/03; 04/12/03; 04/19/03)

BIDS WANTED - OTHER DIVISIONS

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if a corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE:

Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article 1, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

WITHHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX: All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

LOCAL CREDIT: For all contracts except professional service contracts: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$20,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSAL CALL THE LISTED DIVISION

BID FOR DEPOSIT OF PUBLIC MONEY

Notice is hereby given in accordance with Chapter 321 of the Columbus City Codes, 1959 to all banks, and building and loan or savings associations or companies situated in Franklin County, Ohio, whose application for deposit of public money has been approved by the Columbus Depository Commission that bids will be accepted by the City Treasurer for the deposit of inactive funds:

The City Treasurer will accept such bids by telephone (645-7727) or in person between the hours of 8:00 a.m. and 10:45 a.m. Monday through Friday. Such bids should specify the time span of the certificate of deposit, the rate of interest being offered, the amount of funds being bid upon, and the beginning and ending date for which said bid is applicable. By order of the Columbus Depository Commission.

THOMAS ISAACS, Chairman
HUGH J. DORRIAN, Secretary
JOEL S. TAYLOR, Member

BID OPENING DATE 05/08/03

BID FOR ROADWAY IMPROVEMENT OF LANE AVENUE (OPWC).

PLEASE NOTE THE BID LOCATION HAS CHANGED: Sealed proposals will be received by the City of Columbus Transportation Division, 109 N. Front Street, 3rd Floor, Room 300, Columbus, Ohio 43215 until 3:00 P.M. local time, and publicly opened and read at 109 N. Front Street 2nd Floor, Room 205 at 3:00 P.M. on May 8, 2003, for Roadway Improvement of Lane Avenue (OPWC), 1617 DR. A. The work for which proposals are invited consists of full-depth and full-width pavement replacement on Lane Avenue; concrete curbs, sidewalks, and curb ramps; new storm and sanitary sewers; replacement of existing water lines; traffic control including signalization at each intersection; lighting; retaining walls; demolition; and such other work as may be necessary to complete the contract in accordance with the plans and specifications.

Copies of the Contract Documents and the plans are on file in the office of the Transportation Division Administrator, 109 N. Front Street, 3rd Fl., Columbus, OH 43215 and are available to prospective bidders at the non-refundable cost of \$350.00 for full-sized plans and \$80.00 for half-sized plans.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for Roadway Improvement of Lane Avenue (OPWC).
PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

Each Proposal must contain the full name of the party or parties submitting the proposal and all persons interested therein. Each bidder must submit evidence of its experiences on projects of similar size and complexity.

All contractors and subcontractors involved with the project will, to the extent practicable use Ohio Products, materials, services, and labor in the implementation of their project. Additionally, contractor compliance with the equal employment opportunity requirements of Ohio Administrative Code Chapter 123, the Governor's Executive Order of 1972, and Governor's Executive Order 84-9 shall be required.

PREVAILING WAGE RATE

Bidders must comply with the prevailing wage rates on Public Improvements in Franklin County and the City of Columbus, Ohio as determined by the Ohio Bureau of Employment Services, Wage and Hour Division (614) 644-2239.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, 2002 edition, will be required to assure the faithful performance of the work.

SUBSURFACE DATA

Subsurface data was obtained for project design purposes. Copies of the report are available upon execution of the subsurface information release form.

PRE-BID CONFERENCE

There will be a pre-bid conference held for this project on May 2, 2003, at 9:00 a.m., 1800 E. 17th Avenue, Columbus, Ohio.

CONTRACT COMPLETION

The contract completion time is 540 calendar days.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in the Bid Submittal Documents refer to the City of Columbus, Ohio, Construction and Materials Specifications, 2002 edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of Project Management, Transportation Division, 109 N. Front Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-7348, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215(614)645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with their bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interests of the City.

(04/19/03; 04/26/03)

BID OPENING DATE 05/13/03

BID FOR**RENOVATION OF CONCRETE AT THE COLUMBUS HEALTH DEPARTMENT,
240 PARSONS AVENUE, COLUMBUS, OHIO**

Sealed bids will be received by the Department of Public Service, Division of Facilities Management of the City of Columbus, Ohio at their office, located at 90 West Broad Street, basement, Room B16, Columbus, Ohio 43215 until 3:00 p.m. local time, on Tuesday, May 13, 2003 and publicly opened and read at the hour and place for RENOVATION OF CONCRETE AT THE COLUMBUS HEALTH DEPARTMENT, 240 PARSONS, COLUMBUS, OHIO.

A pre-bid meeting will be held Thursday, May 1, 2003 at 9:00 a.m., at the exterior west porch, 240 Parsons Avenue, Columbus, Ohio. The work for which bids are invited consist of renovation of concrete curbing.

Copies of the Contract Documents are available in the office of Facilities Management, 90 West Broad Street, Basement Level, Room B16, Columbus, Ohio 43215 beginning Monday, April 28, 2003. The first set of contract documents are available to prospective bidders at no cost. Additional sets are available to prospective bidders at a non-refundable cost of \$25.00.

Proposals must be submitted on the proper forms contained in the Bid Documents and the Bid Documents containing the Proposals must be submitted IN THEIR ENTIRETY in a sealed envelopment marked: Bid for: RENOVATION OF CONCRETE AT THE COLUMBUS HEALTH DEPARTMENT, 240 PARSONS, COLUMBUS, OHIO.

**FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL.
PROPOSAL GUARANTY**

The bidder is required to submit a Proposal Guaranty, consisting either of a Proposal Bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

OSHA/EPA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this contract.

CONSTRUCTION AND MATERIALS SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Material Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specification are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Materials Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, Room 301, Columbus, Ohio 43215, (614)645-8290, at the office of the Transportation Division, 1800 East 17th Avenue, Columbus, Ohio 43219, (614)645-3182, at the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, (614)645-6141.

CONTRACT COMPLIANCE REQUIREMENTS AND EQUAL OPPORTUNITY CLAUSE

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

The City of Columbus encourages the participation of Minority and female owned business enterprises. Each bidder must identify any subcontractor(s) who are minority or female owned businesses (M/FBE's) as defined in Title 39 of the Columbus City Code along with the scope of

work and anticipated cost.* This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO (614) 645-4764 for assistance with identifying potential M/FBE subcontractors. Equal Business Opportunity Commission Office, 109 N. Front Street 4th Floor, Columbus, Ohio 43215, (614) 645-4764.

*While the participation of minority and female owned businesses is encouraged the level of minority or female participation will not be a condition of the bid award.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interest of the City. Also, the right is reserved by the Public Service Director to hold bids for a period of 180 days after the bid opening for evaluating both the proposals and the contractors. The award of the contract may be made at any time during that period.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under laws of any other state.

LINDA K. PAGE, DIRECTOR PUBLIC SERVICE DEPARTMENT

JOHNNY B. SCALES, ADMINISTRATOR DIVISION OF FACILITIES MANAGEMENT

(04/19/03; 04/26/03)

BID OPENING DATE 05/15/03

BID FOR RESURFACING 2003 PROJECT 2 (OPWC).

PLEASE NOTE THE BID LOCATION HAS CHANGED: Sealed proposals will be received by the City of Columbus Transportation Division, 109 N. Front Street, 3rd Floor, Room 300, Columbus, Ohio 43215 until 3:00 P.M. local time, and publicly opened and read at 109 N. Front Street 2nd Floor, Room 205 at 3:00 P.M. on May 15, 2003, for Resurfacing 2003 Project 2 (OPWC), 1534 DR. A. The work for which proposals are invited consists of planning, asphalt overlay, concrete wheelchair ramps, and such other work as may be necessary to complete the contract in accordance with the plans and specifications.

Copies of the Contract Documents and the plans are on file in the office of the Transportation Division Administrator, 109 N. Front Street, 3rd Fl. Columbus, OH 43215 and are available to prospective bidders at the non-refundable cost of \$30.00.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for Resurfacing 2003 Project 2 (OPWC).

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements, which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid. Bidders must comply with the prevailing wage rates on Public Improvements in Franklin County and the City of Columbus in the State of Ohio as determined by the Ohio Bureau of Employment Services, Wage and Hour Division (614-644-2239).

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, 2002 edition, will be required to assure the faithful performance of the work.

SUBSURFACE DATA (Not Applicable for this Project)

Subsurface data was/was not obtained for project design purposes. If obtained, copies of the report are available upon execution of the subsurface information release form.

PRE-BID CONFERENCE

May 1, 2003 at 1:30 in Room B of 1881 E. 25th Avenue. Only bids from contractors that attend Pre-Bid Conference will be accepted for this project.

CONTRACT COMPLETION

The contract completion date is 120 calendar days from Notice to Proceed.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, 2002 edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of the Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and 109 N. Front 3rd Floor, Columbus, Ohio 43215 (614) 645-5660, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215(614)645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interests of the City.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

OPWC REQUIREMENTS

Each Proposal must contain the full name of the party or parties submitting the proposal and all persons interested therein. Each bidder must submit evidence of its experiences on projects of similar size and complexity.

All contractors and subcontractors involved with the project will, to the extent practicable use Ohio Products, materials, services, and labor in

the implementation of their project. Additionally, contractor compliance with the equal employment opportunity requirements of Ohio Administrative Code Chapter 123, the Governor's Executive Order of 1972, and Governor's Executive Order 84-9 shall be required.

Bidders must comply with the prevailing wage rates on Public Improvements in Franklin County and the City of Columbus, Ohio as determined by the Ohio Bureau of Employment Services, Wage and Hour Division (614) 644-2239.
(04/19/03; 04/26/03)

BID OPENING DATE 05/27/03

**BID FOR
RENOVATION OF THE CITY HALL PLUMBING (PHASE I)
90 WEST BROAD STREET, COLUMBUS, OHIO**

Sealed bids will be received by the Department of Public Service, Division of Facilities Management of the City of Columbus, Ohio at their office, located at 90 West Broad Street, basement, Room B16, Columbus, Ohio 43215 until 3:00 p.m. local time, on Tuesday, May 27, 2003 and publicly opened and read at the hour and place for RENOVATION OF THE CITY HALL PLUMBING (PHASE I), 90 WEST BROAD STREET, COLUMBUS, OHIO.

A pre-bid meeting will be held Thursday, May 1, 2003 at 9:30 a.m., at City Hall, 90 West Broad Street, Room B-09, Columbus, Ohio 43215. The work for which bids are invited consist of renovation of the plumbing in designated areas of the building.

Copies of the Contract Documents are available in the office of Facilities Management, 90 West Broad Street, Basement Level, Room B16, Columbus, Ohio 43215 beginning Monday, April 28, 2003. The first set of contract documents are available to prospective bidders at no cost. Additional sets are available to prospective bidders at a non-refundable cost of \$25.00.

Proposals must be submitted on the proper forms contained in the Bid Documents and the Bid Documents containing the Proposals must be submitted IN THEIR ENTIRETY in a sealed envelopment marked: Bid for: RENOVATION OF THE CITY HALL PLUMBING (PHASE I), 90 WEST BROAD STREET, COLUMBUS, OHIO.

**FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL.
PROPOSAL GUARANTY**

The bidder is required to submit a Proposal Guaranty, consisting either of a Proposal Bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

OSHA/EPA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this contract.

CONSTRUCTION AND MATERIALS SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Material Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specification are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Materials Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, Room 301, Columbus, Ohio 43215, (614)645-8290, at the office of the Transportation Division, 1800 East 17th Avenue, Columbus, Ohio 43219, (614)645-3182, at the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, (614)645-6141.

CONTRACT COMPLIANCE REQUIREMENTS AND EQUAL OPPORTUNITY CLAUSE

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

The City of Columbus encourages the participation of Minority and female owned business enterprises~ Each bidder must identify any subcontractor(s) who are minority or female owned businesses (M/FBE's) as defined in Title 39 of the Columbus City Code along with the scope of work and anticipated cost.* This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO (614) 645-4764 for assistance with identifying potential M/FBE subcontractors. Equal Business Opportunity Commission Office, 109 N. Front Street 4th Floor, Columbus, Ohio 43215, (614) 645-4764.

*While the participation of minority and female owned businesses is encouraged the level of minority or female participation will not be a condition of the bid award.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interest of the City. Also, the right is reserved by the Public Service Director to hold bids for a period of 180 days after the bid opening for evaluating both the proposals and the contractors. The award of the contract may be made at any time during that period.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under laws of any other state.

LINDA K. PAGE, DIRECTOR PUBLIC SERVICE DEPARTMENT

JOHNNY B. SCALES, ADMINISTRATOR DIVISION OF FACILITIES MANAGEMENT

(04/19/03; 04/26/03)

**PROFESSIONAL SERVICES
REQUEST FOR PROPOSAL (RFP)
REQUEST FOR STATEMENT OF QUALIFICATIONS (RFSQ)**

**LEGAL NOTICE
PROFESSIONAL SERVICES
REQUEST FOR PROPOSAL (RFP)
REQUEST FOR STATEMENTS OF QUALIFICATIONS (RFSQ)**

Sealed proposals for the following item(s) will be received by the Purchasing Office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on May 8, 2003 and at that time will be publicly opened and read. Proposals received after the time of opening will be returned to the offeror unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Division of Fire RFP

PROPOSALS FOR Health and Physical Fitness Testing Services for the Division of Fire~ RFP, PROPOSAL NO. SA000437 in accordance with specifications on file in the Purchasing Office.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSAL CALL (614)645-7599

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if a corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE:

Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article 1, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

WITHHOLDING OF INCOME TAX:

All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX:

All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

LOCAL CREDIT:

For all contracts except professional service contracts: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$20,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

JOEL S. TAYLOR, Finance Director

(04/19/03; 04/26/03; 05/02/03)

PUBLIC NOTICES

**CITY BULLETIN NOTICE
MEETING SCHEDULE
CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2003 are scheduled as follows:

Monday, February 3, 2003
Monday, May 12, 2003
Monday, September 29, 2003

The location of these meetings will be City Hall, 90 West Broad Street, 2nd Floor, Mayor's Conference Room. They will begin promptly at 10:00 am

Every effort will be made to adhere to the above schedule, but the City of Columbus Records Commission reserves the right to change the date, time or location of any meeting; or to hold additional meetings. To confirm the meeting date, time and locations or to obtain agenda information, contact the Office of the City of Columbus Records Commission Coordinator at (614) 645-8539.

(10/2002; 10/2003)

**OFFICIAL NOTICE
CIVIL SERVICE COMMISSION
COMPETITIVE EXAMINATION
ANNOUNCEMENTS
APPLY DAILY MONDAY THROUGH FRIDAY 8:00 A.M. TO 4:30 P.M.**

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is posted at the Commission offices located at 50 West Gay Street, 6th Floor, Columbus, Ohio. Please note that all visitors to the Beacon Building are required to produce a picture ID, authenticating their identity, in order to visit the applications area. Interested applicants should regularly check this location for examination announcements. Also, please visit our website at

www.csc.columbus.gov.

(01/2003; 12/2003)

**BOARD OF REVIEW
OF GENERAL AND LIMITED
SIGN ERECTORS
MEETING SCHEDULE**

MEETING TIME: 1ST Tuesday of each month (except May & November) November through April 3:00 p.m. and May through October at 3:30, 757 Carolyn Avenue, Hearing Room E.

CUT-OFF TIME FOR APPLICATIONS: One week prior to the meeting

Questions: Dave Reiss: 645-7973

CUT-OFF DATES

January 28
February 25
March 25
May 6
May 27
June 24
July 29
August 26
September 24
November 4
November 26

MEETING DATES

February 4
March 4
April 1
May 13
June 3
July 1
August 5
September 2
October 7
November 11
December 2

(01/25/03; 12/27/03)

**BOARD OF REVIEW OF
WARM AIR & HYDRONICS CONTRACTORS
MEETING SCHEDULE
2003**

MEETING TIME: 2nd Tuesday of each month, 5:00 pm at 757 Carolyn Avenue, Hearing Room D.

CUT-OFF TIME FOR APPLICATIONS: One week prior to the meeting

Questions: Cheryl Roahrig: 645-3270

CUT-OFF DATES

February 6
March 4
April 1
May 6

MEETING DATES

February 11
March 11
April 8
May 13

June 3	June 10
July 1	July 8
August 5	August 12
September 2	September 9
October 7	October 14
November 4	November 11
December 2	December 9

(01/25/03; 12/27/03)

**BOARD OF REVIEW OF
ELECTRICAL CONTRACTORS
MEETING SCHEDULE
2003**

MEETING TIME: 2nd Wednesday of each month, 5:00 pm at 757 Carolyn Avenue, Hearing Room E.**CUT-OFF TIME FOR APPLICATIONS:** One week prior to the meeting**Questions:** Jerry Tudor: 645-6076

CUT-OFF DATES	MEETING DATES
February 7	February 12
March 5	March 12
April 2	April 9
May 7	May 14
June 4	June 11
July 2	July 9
August 6	August 13
September 3	September 10
October 1	October 8
November 5	November 12
December 3	December 10

(01/25/03; 12/27/03)

**BOARD OF REVIEW
OF REFRIGERATION CONTRACTORS
MEETING SCHEDULE**

MEETING TIME: 1ST Wednesday of each month at 5:00 pm at 757 Carolyn Avenue, Hearing Room H.**CUT-OFF TIME FOR APPLICATIONS:** One week prior to the meeting**Questions:** Cheryl Roahrig: 645-3270

CUT-OFF DATES	MEETING DATES
January 29	February 5
February 26	March 5
March 26	April 2
April 30	May 7
May 28	June 4
June 25	July 2
July 30	August 6
August 27	September 3
September 24	October 1
October 29	November 5
November 26	December 3

(01/25/03; 12/27/03)

**BOARD OF REVIEW OF
PLUMBING CONTRACTORS
2003 BOARD MEETING
SCHEDULE**

MEETING TIME: 3rd Wednesday of each month at 5:00 p.m.**CUT-OFF TIME FOR APPLICATIONS:** 1 week prior to the meeting**QUESTIONS:** Larry Caito: 645-6340

CUTOFF DATES	MEETING DATES
February 12	February 19
March 12	March 19
April 9	April 16
May 14	May 21

June 11	June 18
July 9	July 16
August 13	August 20
September 10	September 17
October 8	October 15
November 12	November 19
December 10	December 17

(01/25/03; 12/27/03)

**EXHIBIT A
NOTICE OF REGULAR MEETINGS
COLUMBUS RECREATION AND PARKS COMMISSION**

The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercises certain powers and duties as specified in Sections 112-1 and 112-2 of the Columbus City Charter.

Please take notice that meetings of the Recreation and Parks Commission will be held at 8:30 a.m. on the following dates and locations (unless otherwise posted):

Wednesday, January 8, 2003- Operations Complex, 420 W Whittier Street
 Wednesday, February 12, 2003 - Operations Complex, 420 W Whittier Street
 Wednesday, March 12, 2003-- Operations Complex, 420 W Whittier Street
 Wednesday, April 9, 2003-- Operations Complex, 420 W Whittier Street
 Wednesday, May 14, 2003 - Walnut Hill Golf Course, 6001 E. Livingston Avenue
 Wednesday, June 11, 2003 - Goodale Shelterhouse, 120 W Goodale Boulevard
 Wednesday, July 9, 2003 - Gillie Recreation Center, 2100 Morse Road
 August Recess - No meeting
 Wednesday, September 10, 2003-Whetstone Park of Roses Shelterhouse, 4015 Olentangy Boulevard
 Wednesday, October 8, 2003- Davis Youth Complex (Franklin Park), 1755 E. Broad Street
 Wednesday, November 12, 2003 - Operations Complex, 420 W Whittier Street
 Wednesday, December 10, 2003 - Operations Complex, 420 W Whittier Street

In the event no proper business exists the meeting may be cancelled without further notice. For further information you may contact the Recreation and Parks Department, 90 West Broad Street, Room 115, Columbus, Ohio 43215 (Telephone: [614] 645-3300).

(02/01/03 thru 12/13/03)

**APPEALS AGENDA
BOARD OF ZONING ADJUSTMENT
CITY OF COLUMBUS
APRIL 22, 2003**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on TUESDAY, APRIL 22, 2003 at 6:00 P.M. in the First Floor Hearing Room of the Building Services Division Offices, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Building and Development Services Section, 757 Carolyn Avenue, 645-7314.

SPECIAL NOTE TO THE APPLICANT: It is important that you or your representative be present at the public hearing. It is the rule of the Board to dismiss an application when a representative is not present.

SIGN LANGUAGE INTERPRETER: An interpreter to "Sign" this meeting will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours prior to the scheduled meeting time. To schedule an interpreter, please contact the City of Columbus, Human Resources Department at 645-6373 or TDD 645-3293.

THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M.:

1. 03312-00003
1101 N. 4TH STREET
Italian Village
C-4, Commercial

To Appeal Zoning Code Violation Order No. 03470-00512 issued on 1/31/2003 for:

1. 3305.01, Certificate of Zoning Clearance Required
2. 3392.04/3389.02/3389.07 -Special Permit Required
3. 3392.02, Junk Yard/Salvage Yard License Required
4. 3355.02, C-4 Commercial District Permitted Uses

Code Enforcement Officer: Sam Harachis

Code Enforcement Officer Phone: 645-5992

Appellant: Carol J. Guiler, 355 Cherokee Drive, Canal Winchester, Ohio 43110

Owner: G. Scott Guiler, 355 Cherokee Drive, Canal Winchester, Ohio 43110

(04/12/03; 04/19/03)

**AGENDA
BOARD OF ZONING ADJUSTMENT
CITY OF COLUMBUS, OHIO
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THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M.:

1. ODS No.: 03310-00006
 Location: 1495 & 1505 WEST FIFTH AVENUE (43212), located at the southwest corner of Broadview & W. 5th Aves.
 Area Comm./Civic: None
 Existing Zoning: C-4, Commercial District
 Request: Variance(s) to Section(s):
 3021 3342.18, Parking setback line.
 To reduce the required parking setback from 10 ft. to 4-1/2 ft. at 1505 W. 5th Ave.
 3021 3342.28, Minimum number of parking spaces required.
 To reduce the required number of parking spaces from 36 to 31 at 1495 W. 5th (5-spaces) and; from 44 to 33 at 1505 W. 5th Ave. (11-spaces).
 3021 3342.07, Drive-in stacking area.
 To reduce the required number of stacking spaces for two pick-up units from 12 to 5 (7-spaces) at 1505 W. 5th Ave.
 3021 3342.15, Maneuvering.
 To permit maneuvering within the 10 ft. parking setback to a distance of 4-1/2 ft. (5-1/2 ft.) from the Broadview Ave. right-of-way at 1495 W. 5th Ave.
 Proposal: To raze an existing strip shopping center and replace it with a pharmacy. Also, to put a patio addition onto a restaurant and re-configure the parking lot.
 Applicant(s): Michael D. Casale, c/o P. & L. Systems, Inc.
 171 Carrington Cross Dr.
 Westerville, Ohio 43081
 Property Owner(s): Fifth Investment Company
 8903 Lea Ct.
 Dublin, Ohio 43017
 Case Planner: Dave Reiss, 645-7973

2. ODS No.: 03310-00007
 Location: 4949 FREEWAY DRIVE EAST (43229), located at the northwest corner of Freeway Dr., S. & Freeway Dr. E.
 Area Comm./Civic: Northland Community Council
 Existing Zoning: M-1, Manufacturing District
 Request: Variance(s) to Section(s):
 3021 3365.21, Height and area regulations.
 To reduce the required building setback from 125 ft. from the center line of the right-of-way to 70 ft. from the center line of the right-of-way (55 ft.). (A setback of 41± ft. from the edge of the right-of-way.)
 Proposal: To construct a building addition to an existing beer distributorship.
 Applicant(s): C.D.C. Management Co.; c/o Jeffrey L. Brown
 37 W. Broad St., Suite 725
 Columbus, Ohio 43215
 Property Owner(s): Robertson Morse Road Realty Company, et al.
 500 W. Main St.
 Alliance, Ohio 44601
 Case Planner: Dave Reiss, 645-7973

3. **POSTPONED**
 ODS No.: 03310-00008
 Location: 79 EAST 12TH AVENUE (43201), located on the south side of E. 12th Ave., approximately 200 ft. west of Indianola Ave.
 Area Comm./Civic: University Review Board & University Area Commission
 Existing Zoning: AR-4, Apartment Residential District
 Request: Variance(s) to Section(s):
 3021 3333.24, Rear yard.
 To reduce the required rear yard area from 25% of the total lot area to 15.7% of the total lot area (a reduction of 9.3%).

- 3021 3342.28, Minimum number of parking spaces required.
To reduce the required number of parking spaces from 44 to 0.
- 3021 3372.564, Parking.
To increase the lot area devoted to parking and maneuvering from 35% to 38%.
- 3021 3372.562, Landscaped area and treatment.
To provide 2.8% of the lot area in landscaping while 5% is required.
To not provide four (4) shade trees in the rear yard.
- Proposal: To construct a sanctuary addition to an educational facility.
Applicant(s): Michael Karpinski, A.I.A.
86 Hidden Ravines Dr.
Powell, Ohio 43065
- Property Owner(s): Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints
50 E. N. Temple St.
Salt Lake City, Utah 84150
- Case Planner: Dave Reiss, 645-7973
4. ODS No.: 03310-00010
Location: 174 EAST 3RD AVENUE (43201), located at the northeast corner of East 3rd Avenue and Hamlet Street
Area Comm./Civic: Italian Village Commission
Existing Zoning: R-4, Residential District
Request: Variance(s) to Section(s):
- 3021 3332.05, Area District lot width requirements
To reduce the width of a lot from 50 feet to 33.25 feet.
- 3021 3332.21, Building lines
To reduce the building line from 10 feet to not less than 5 feet along East 3rd Avenue.
- 3021 3332.27, Rear yard
To reduce the rear yard from 25% of the total lot area to 18%.
- 3021 3332.30, Vision clearance
To reduce the clear vision triangle at an intersection.
- 3021 3342.15, Maneuvering
To allow a parking space not to have sufficient access and maneuvering area.
- Proposal: To construct a single-family dwelling with a two-car attached garage.
Applicant(s): Kent V. Thompson
1469 Roxbury Rd.
Columbus, OH 43201
- Property Owner(s): Applicant
Case Planner: Denise Powers, 645-1788
5. ODS No.: 03310-00011
Location: 725 DEXTER AVENUE (43204), located on the west side of Dexter Avenue at its southern terminus.
Area Comm./Civic: Greater Hilltop Area Commission
Existing Zoning: R, Rural District
Request: Variance(s) to Section(s):
- 3021 3332.21, Building lines
To reduce the building line from 25 feet to 2± feet along Dexter Avenue.
- 3021 3332.25, Maximum side yards required
To reduce the sum of the widths of each side yard from 20% of the width of the lot, or 7.65± feet, to 18±%, or 7 feet.
- 3021 3332.26, Minimum side yard permitted
To reduce the minimum side yard from 7.5 feet to 4 feet along the north side of the dwelling, and from 7.5 feet to 3 feet along the south side.
- Proposal: To construct an addition around the front and both sides of the dwelling.
Applicant(s): General & Mary L. Jones
570 Dexter Av.
Columbus, OH 43204
- Property Owner(s): Applicants
Case Planner: Denise Powers, 645-1788
6. ODS No.: 03310-00012
Location: 2499 HOOSE DRIVE (43123), located on the west side of Hoose Drive, 170± feet north of Bridgehill Drive.
Area Comm./Civic: Westland Area Commission
Existing Zoning: L-R-2, Limited-Residential District
Request: Variance(s) to Section(s):
- 3021 3332.27, Rear yard
To reduce the rear yard from 25% of the total lot area to not less than 22%.
- Proposal: To construct a sunroom addition to the rear of the dwelling.
Applicant(s): Gilbert & Brenda Griggs
2499 Hoose Dr.
Columbus, OH 43123
- Property Owner(s): Applicants
Case Planner: Denise Powers, 645-1788

7. ODS No.: 03310-00013
 Location: 8816 CREVE COEUR LANE (43065), located on the east side of Creve Coeur Lane, 250± feet north of Smoky View Boulevard.
 Area Comm./Civic: Far Northwest Coalition
 Existing Zoning: R-2F, Residential District
 Request: Variance(s) to Section(s):
 3021 3332.21, Building lines
 To reduce the platted building line from 25 feet to 12 feet along Creve Coeur Lane.
 Proposal: To construct a two-car attached garage.
 Applicant(s): Andrew J. Bates
 8816 Creve Coeur Lane
 Powell, OH 43065
 Property Owner(s): Applicant
 Case Planner: Denise Powers, 645-1788

RECONSIDERATION ITEM:

8. **POSTPONED**
 ODS No.: 02310-00085
 Location: 1634 WEST 3RD AVENUE (43212), located on the north side of West 3rd Avenue, 50± feet west of North Star Avenue.
 Area Comm./Civic: None
 Existing Zoning: AR-1, Apartment Residential District
 Request: Variance(s) to Section(s):
 3021 3333.22, Maximum side yard required
 To reduce the sum of the widths of each side yard from 20% of the width of the lot, or 10 feet, to 16%± of the width of the lot, or 8.3± feet.
 3021 3333.23, Minimum side yard permitted
 To reduce the minimum side yard from 5 feet to 3.3± feet along the west side of the dwelling.
 Proposal: To raze an existing two-story two-family dwelling and redevelop the site with a 2-1/2 story three-family dwelling.
 Applicant(s): Aaron Saez
 3270 Kioka Av.
 Upper Arlington, OH 43221
 Property Owner(s): Clonan Inc.
 3021 International Dr.
 Columbus, OH 43228
 Case Planner: Denise Powers, 645-1788
 (04/12/03; 04/19/03)

PUBLIC NOTICE
UNIVERSITY AREA REVIEW BOARD MEETING
APRIL 24, 2003

A meeting of the University Area Review Board will be held on Thursday, April 24, 2003. It will begin at 3:30 p.m. at 1824 N. High Street to hear conceptual designs for the Gateway Project. Remaining agenda items will be heard at 6:15 p.m. at the Northside Branch Library, 1423 North High Street. For further information, call 645-8654.
 (04/12/03; 04/19/03)

PUBLIC HEARING
BY COLUMBUS CITY COUNCIL

The following Rezoning/Variance Ordinances will be heard by City Council on *Monday, April 21, 2003* at approximately 6:30 p.m. in Council Chambers, Second Floor, City Hall, 90 West Broad Street, Columbus, Ohio 43215.

- 0549-03 To rezone 5672 BROADVIEW ROAD (43230), being 1.00± acres located on the north side of
 Z02-099 Broadview Road, 140± feet east of Boulder Dam Drive, From: R, Rural District, To: R-2F, Residential District.
- 0550-03 To rezone 3699 GENDER ROAD (43110), being 4.34± acres located on the west side of Gender
 Z02-105 Road, 450± feet south of Upperridge Drive, From: CPD, Commercial Planned Development District, To: L-AR-12, Limited Apartment Residential District.
- 0551-03 To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1,
 CV03-005 Apartment Residential District Use; 3333.255, Perimeter Yard; and 3342.28(A)(3), Minimum Number of Parking Spaces Required; for property located at 309 NORTH GOULD ROAD (43209), to permit housing for the elderly with a reduced perimeter yard in the AR-1, Apartment Residential District.
- 0552-03 To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District;
 CV02-065 3332.15, R-4, Area District Requirements; 3332.18(E), Basis of Computing Area; 3332.19, Fronting; 3332.21, Building Lines; 3332.25, Maximum Side Yard Required; 3332.26, Minimum Side Yard Permitted; and 3332.27, Rear Yard; of Columbus City Codes, for the property located

at 110 BUTTLES AVENUE (43215), to permit a four-unit dwelling and a three-unit dwelling on one lot with reduced development standards in the R-4, Residential District.

(04/12/03; 04/19/03)

PLACEMENT OF TRAFFIC CONTROL DEVICES AS RECOMMENDED BY THE TRANSPORTATION DIVISION

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that certain traffic control devices must be authorized immediately in order to preserve the public health, peace, property, and safety; now, therefore,

Under the power vested in me by Chapters 2105 and 2155 of the Traffic Code of Columbus, Ohio, I hereby determine that based on studies conducted by and recommendations made by the Transportation Division, that the following traffic regulations are necessary and I hereby authorize on the effective date of this order, or as soon thereafter as practical, the installation and/or removal of appropriate traffic control devices as follows:

SECTION 2105.08 STOP AND YIELD INTERSECTIONS

Stop signs shall be installed at intersections as follows:

TELLEGA AVE shall stop for CLABBER RD

SECTION 2105.09 TURNS AT INTERSECTIONS

Permissive turn lanes shall be established as follows:

PAUL BLAZER PKWY at TUTTLE CROSSING BLVD

The southbound traffic in the lane second from the West Curb curb may turn right.

Restrictions applied: All Times - All Days

PARKING REGULATIONS

The parking regulations on the 1025 foot long block face along the W side of BERKELEY RD from FOREST ST extending to LIVINGSTON AVE shall be

Range in feet	Code Section	Regulation
0 - 157	2151.01	(STATUTORY RESTRICTIONS APPLY)
157 - 169		(NAMELESS ALLEY)
169 - 469	2151.01	(STATUTORY RESTRICTIONS APPLY)
469 - 492	2105.03	HANDICAPPED PARKING ONLY
492 - 864		(NAMELESS ALLEY)
864 - 877		(NAMELESS ALLEY)
877 - 1025	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 333 foot long block face along the W side of CARPENTER ST from NEWTON ST extending to STONE ST shall be

Range in feet	Code Section	Regulation
0 - 333	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 143 foot long block face along the W side of EIGHTEENTH ST from CHAPEL ST extending to GUSTAVUS LN shall be

Range in feet	Code Section	Regulation
0 - 20	2105.17	NO STOPPING ANYTIME
20 - 109	2151.01	(STATUTORY RESTRICTIONS APPLY)
109 - 143	2105.17	NO STOPPING ANYTIME

The parking regulations on the 471 foot long block face along the E side of FOURTH ST from INNIS AVE extending to WOODROW AVE shall be

Range in feet	Code Section	Regulation
0 - 74	2105.17	NO STOPPING ANYTIME
74 - 139	2151.01	(STATUTORY RESTRICTIONS APPLY)
139 - 152		(NAMELESS ALLEY)
152 - 172	2105.17	NO STOPPING ANYTIME
172 - 190	2105.03	HANDICAPPED PARKING ONLY
190 - 320	2151.01	(STATUTORY RESTRICTIONS APPLY)
320 - 336		(NAMELESS ALLEY)
336 - 385	2151.01	(STATUTORY RESTRICTIONS APPLY)
385 - 471	2105.17	NO STOPPING ANYTIME

The parking regulations on the 1690 foot long block face along the W side of GUILFORD AVE from BROAD ST extending to IRENE PL shall be

Range in feet	Code Section	Regulation
0 - 176		(STATUTORY RESTRICTIONS APPLY)
176 - 190		(NAMELESS ALLEY)
190 - 230	2105.17	NO STOPPING ANYTIME
230 - 250	2105.03	HANDICAPPED PARKING ONLY

250 - 846		(STATUTORY RESTRICTIONS APPLY)
846 - 860		(NAMELESS ALLEY)
860 - 1296		(STATUTORY RESTRICTIONS APPLY)
1296 - 1327	2105.17	NO STOPPING ANYTIME
1327 - 1341		(NAMELESS ALLEY)
1341 - 1383	2105.17	NO STOPPING ANYTIME
1383 - 1659		(STATUTORY RESTRICTIONS APPLY)
1659 - 1690	2105.17	NO STOPPING ANYTIME

The parking regulations on the 528 foot long block face along the S side of HANFORD ST from BURSTOCK RD extending to TERMINUS shall be

Range in feet	Code Section	Regulation
0 - 290	2151.01	(STATUTORY RESTRICTIONS APPLY)
290 - 308	2105.03	HANDICAPPED PARKING ONLY
308 - 528	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 867 foot long block face along the E side of HARRIS AVE from OLIVE ST extending to BROAD ST shall be

Range in feet	Code Section	Regulation
0 - 195	2151.01	(STATUTORY RESTRICTIONS APPLY)
195 - 218	2105.03	HANDICAPPED PARKING ONLY
218 - 264	2151.01	(STATUTORY RESTRICTIONS APPLY)
264 - 288	2105.03	HANDICAPPED PARKING ONLY
288 - 417	2151.01	(STATUTORY RESTRICTIONS APPLY)
417 - 440	2105.03	HANDICAPPED PARKING ONLY
440 - 477	2151.01	(STATUTORY RESTRICTIONS APPLY)
477 - 523	2105.03	HANDICAPPED PARKING ONLY
523 - 660	2151.01	(STATUTORY RESTRICTIONS APPLY)
660 - 678		(NAMELESS ALLEY)
678 - 867	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 316 foot long block face along the N side of HINMAN AVE from WASHINGTON AVE extending to GOETHE AVE shall be

Range in feet	Code Section	Regulation
0 - 161	2151.01	(STATUTORY RESTRICTIONS APPLY)
161 - 192	2105.03	HANDICAPPED PARKING ONLY
192 - 228	2151.01	(STATUTORY RESTRICTIONS APPLY)
228 - 251	2105.03	HANDICAPPED PARKING ONLY
251 - 316	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 558 foot long block face along the S side of HINMAN AVE from EIGHTH ST extending to WASHINGTON AVE shall be

Range in feet	Code Section	Regulation
0 - 117	2151.01	(STATUTORY RESTRICTIONS APPLY)
117 - 135	2105.03	HANDICAPPED PARKING ONLY
135 - 156	2105.17	NO STOPPING ANYTIME
156 - 169		(NAMELESS ALLEY)
169 - 207	2151.01	(STATUTORY RESTRICTIONS APPLY)
207 - 234	2105.03	HANDICAPPED PARKING ONLY
234 - 424	2151.01	(STATUTORY RESTRICTIONS APPLY)
424 - 447	2105.03	HANDICAPPED PARKING ONLY
447 - 558	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 1288 foot long block face along the E side of HOLLY AVE from THIRD AVE extending to FIFTH AVE shall be

Range in feet	Code Section	Regulation
0 - 42	2105.17	NO STOPPING ANYTIME
42 - 643	2151.01	(STATUTORY RESTRICTIONS APPLY)
605 - 885	2105.17	NO STOPPING ANYTIME
643 - 724	2105.17	NO STOPPING ANYTIME
724 - 605	2151.01	(STATUTORY RESTRICTIONS APPLY)
885 - 1172	2151.01	(STATUTORY RESTRICTIONS APPLY)
1172 - 1288	2105.17	NO PARKING 8AM - 6PM WEEKDAYS

The parking regulations on the 492 foot long block face along the N side of JENKINS AVE from WASHINGTON AVE extending to PARSONS AVE shall be

Range in feet	Code Section	Regulation
0 - 220	2151.01	(STATUTORY RESTRICTIONS APPLY)
220 - 243	2105.03	HANDICAPPED PARKING ONLY
243 - 318	2151.01	(STATUTORY RESTRICTIONS APPLY)
318 - 332		(NAMELESS ALLEY)
332 - 492	2105.17	NO STOPPING ANYTIME

The parking regulations on the 575 foot long block face along the E side of LOCKBOURNE RD from SYCAMORE ST extending to LIVINGSTON AVE shall be

Range in feet	Code Section	Regulation
0 - 88	2151.01	(STATUTORY RESTRICTIONS APPLY)
88 - 101	2105.03	HANDICAPPED PARKING ONLY
101 - 411	2151.01	(STATUTORY RESTRICTIONS APPLY)
411 - 427		(NAMELESS ALLEY)
427 - 575	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 2657 foot long block face along the N side of MARION RD from LOCKBOURNE RD extending to FAIRWOOD AVE shall be

Range in feet	Code Section	Regulation
0 - 2248	2151.01	(STATUTORY RESTRICTIONS APPLY)
2248 - 2278	2105.03	HANDICAPPED PARKING ONLY
2278 - 2657	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 313 foot long block face along the N side of MAYNARD AVE from SUMMIT ST extending to GLENMAWR AVE shall be

Range in feet	Code Section	Regulation
0 - 42	2105.17	NO STOPPING ANYTIME
42 - 128	2151.01	(STATUTORY RESTRICTIONS APPLY)
128 - 146	2105.17	NO STOPPING ANYTIME
146 - 163		(NAMELESS ALLEY)
163 - 183	2105.17	NO STOPPING ANYTIME
183 - 283	2151.01	(STATUTORY RESTRICTIONS APPLY)
283 - 313	2105.17	NO STOPPING ANYTIME

The parking regulations on the 316 foot long block face along the S side of MORRILL AVE from WASHINGTON AVE extending to GOETHE AVE shall be

Range in feet	Code Section	Regulation
0 - 30	2105.17	NO STOPPING ANYTIME
30 - 77	2105.03	HANDICAPPED PARKING ONLY
77 - 316	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 733 foot long block face along the N side of MORRILL AVE from PARSONS AVE extending to ANN ST shall be

Range in feet	Code Section	Regulation
0 - 82	2105.17	NO STOPPING ANYTIME
82 - 151	2151.01	(STATUTORY RESTRICTIONS APPLY)
151 - 165		(NAMELESS ALLEY)
165 - 238	2151.01	(STATUTORY RESTRICTIONS APPLY)
238 - 261	2105.03	HANDICAPPED PARKING ONLY
261 - 733	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 436 foot long block face along the E side of POMEROY PLACE AL from DUNCAN ST extending to ARCADIA AVE shall be

Range in feet	Code Section	Regulation
0 - 204	2151.01	(STATUTORY RESTRICTIONS APPLY)
204 - 218		(NAMELESS ALLEY)
218 - 436	2105.17	NO PARKING ANY TIME

The parking regulations on the 770 foot long block face along the E side of PRINCETON AVE from BROAD ST extending to CABLE AVE shall be

Range in feet	Code Section	Regulation
0 - 150	2151.01	(STATUTORY RESTRICTIONS APPLY)
150 - 166		(NAMELESS ALLEY)
166 - 205	2151.01	(STATUTORY RESTRICTIONS APPLY)
205 - 228	2105.03	HANDICAPPED PARKING ONLY
228 - 698	2151.01	(STATUTORY RESTRICTIONS APPLY)
698 - 721	2105.03	HANDICAPPED PARKING ONLY
721 - 770	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 875 foot long block face along the E side of PRINCETON AVE from SULLIVANT AVE extending to RICH ST shall be

Range in feet	Code Section	Regulation
0 - 528		(STATUTORY RESTRICTIONS APPLY)
528 - 593	2105.17	NO STOPPING ANYTIME
593 - 608		(STATUTORY RESTRICTIONS APPLY)
608 - 631	2105.03	HANDICAPPED PARKING ONLY
631 - 823		(STATUTORY RESTRICTIONS APPLY)
823 - 875	2105.17	NO STOPPING ANYTIME

The parking regulations on the 868 foot long block face along the E side of ROYS AVE from OLIVE ST extending to BROAD ST shall be

Range in feet	Code Section	Regulation
0 - 63	2105.17	NO STOPPING ANYTIME
63 - 514	2151.01	(STATUTORY RESTRICTIONS APPLY)
514 - 534	2105.03	HANDICAPPED PARKING ONLY
534 - 702	2151.01	(STATUTORY RESTRICTIONS APPLY)
702 - 718		(NAMELESS ALLEY)
718 - 868	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 356 foot long block face along the W side of SEVENTEENTH ST from SIEBERT ST extending to REINHARD AVE shall be

Range in feet	Code Section	Regulation
0 - 157	2151.01	(STATUTORY RESTRICTIONS APPLY)
157 - 170		(NAMELESS ALLEY)
170 - 300	2151.01	(STATUTORY RESTRICTIONS APPLY)
300 - 326	2105.03	HANDICAPPED PARKING ONLY
326 - 356	2105.17	NO STOPPING ANYTIME

The parking regulations on the 638 foot long block face along the W side of STUDER AVE from STEWART AVE extending to REINHARD AVE shall be

Range in feet	Code Section	Regulation
0 - 250	2151.01	(STATUTORY RESTRICTIONS APPLY)
250 - 273	2105.03	HANDICAPPED PARKING ONLY
273 - 638	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 396 foot long block face along the S side of SULLIVANT AVE from MARTIN AVE extending to SOUDER AVE shall be

Range in feet	Code Section	Regulation
0 - 50	2105.17	NO STOPPING ANYTIME
50 - 285		(STATUTORY RESTRICTIONS APPLY)
285 - 396	2105.14	BUS STOP ONLY

The parking regulations on the 649 foot long block face along the E side of THIRD ST from FRANKFORT ST extending to SYCAMORE ST shall be

Range in feet	Code Section	Regulation
0 - 30	2105.17	NO STOPPING ANYTIME
30 - 232	2105.21	2 HR PARKING 10AM - 8PM EXCEPT CITY PERMIT A
232 - 378	2105.14	NO STOPPING 7AM - 4PM SCHOOL DAYS EXCEPT BUSES
378 - 433	2105.14	NO STOPPING 2PM - 4PM SCHOOL DAYS EXCEPT BUSES

433 - 473	2105.03	HANDICAPPED PARKING ONLY
473 - 563	2105.17	NO STOPPING ANYTIME
563 - 615	2105.21	2 HR PARKING 10AM - 8PM EXCEPT CITY PERMIT A
615 - 649	2105.17	NO STOPPING ANYTIME

The parking regulations on the 585 foot long block face along the N side of TULANE RD from HIGH ST extending to EAST AVE shall be

Range in feet	Code Section	Regulation
0 - 35	2105.17	NO STOPPING ANYTIME
35 - 58	2105.03	HANDICAPPED PARKING ONLY
58 - 164	2151.01	(STATUTORY RESTRICTIONS APPLY)
164 - 184	2105.17	NO STOPPING ANYTIME
184 - 197		(NAMELESS ALLEY)
197 - 217	2105.17	NO STOPPING ANYTIME
217 - 585	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 588 foot long block face along the W side of WARREN AVE from PALMETTO ST extending to OLIVE ST shall be

Range in feet	Code Section	Regulation
0 - 305	2151.01	(STATUTORY RESTRICTIONS APPLY)
305 - 328	2105.03	HANDICAPPED PARKING ONLY
328 - 425	2151.01	(STATUTORY RESTRICTIONS APPLY)
425 - 448	2105.03	HANDICAPPED PARKING ONLY
448 - 588	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 965 foot long block face along the E side of WESTWOOD AVE from FIFTH AVE extending to KING AVE shall be

Range in feet	Code Section	Regulation
0 - 50	2105.17	NO STOPPING ANYTIME
50 - 111	2151.01	(STATUTORY RESTRICTIONS APPLY)
111 - 140	2105.17	NO STOPPING ANYTIME
140 - 157		(NAMELESS ALLEY)
157 - 181	2105.17	NO STOPPING ANYTIME
181 - 404	2151.01	(STATUTORY RESTRICTIONS APPLY)
404 - 427	2105.03	HANDICAPPED PARKING ONLY
427 - 783	2151.01	(STATUTORY RESTRICTIONS APPLY)
783 - 806	2105.17	NO STOPPING ANYTIME
806 - 818		(NAMELESS ALLEY)
818 - 965	2105.17	NO STOPPING ANYTIME

The parking regulations on the 590 foot long block face along the E side of WHEATLAND AVE from SAFFORD AVE extending to SPRINGMONT AVE shall be

Range in feet	Code Section	Regulation
0 - 590	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 620 foot long block face along the W side of WILSON AVE from LIVINGSTON AVE extending to NEWTON ST shall be

Range in feet	Code Section	Regulation
0 - 110	2151.01	(STATUTORY RESTRICTIONS APPLY)
110 - 130	2105.03	HANDICAPPED PARKING ONLY
130 - 156	2105.17	NO STOPPING ANYTIME
156 - 171		(NAMELESS ALLEY)
171 - 620	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 558 foot long block face along the N side of WOODROW AVE from EIGHTH ST extending to WASHINGTON AVE shall be

Range in feet	Code Section	Regulation
0 - 155	2151.01	(STATUTORY RESTRICTIONS APPLY)
155 - 167		(NAMELESS ALLEY)
167 - 234	2151.01	(STATUTORY RESTRICTIONS APPLY)
234 - 257	2105.03	HANDICAPPED PARKING ONLY
257 - 558	2151.01	(STATUTORY RESTRICTIONS APPLY)

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

BY ORDER OF: LINDA K. PAGE, DIRECTOR

(04/19/03)

**PUBLIC HEARING
BOARD OF COMMISSION APPEALS**

The Board of Commission Appeals will hold a hearing on Tuesday, April 22, 2003 at 1:30 p.m. in the Community Training Center, 109 N. Front Street, ground floor. Copies of the agenda may be obtained by calling 645-8040. The subject properties are as follows:

Historic Resources Commission: 195 East Lane Avenue; 716 Bedford Avenue; 4935 Olentangy Boulevard;

Victorian Village Commission: 1192-1194 Forsythe; 100 West Starr Avenue; 151 West First Avenue

A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service. To schedule an interpreter, please call 645-7964 or TDD 645-6802.

(04/19/03)

CHANGES IN YOUR 1959 COLUMBUS CITY CODE**ORD NO. 0545-03**

To repeal Ordinance 1425-01 and 533-02, both promulgating changes in Title 33, the Columbus Zoning Code, relating to the regulation of adult only entertainment establishments in order to bring the Columbus Zoning Code into compliance with a Federal Court ruling; to clarify City Council's power to pass Zoning Code changes; and to declare an emergency.

WHEREAS, a federal district court ruling has enjoined the city from enforcing the provisions of both Ordinance 1425-01 and Ordinance 533-02; and

WHEREAS, this court order results in the need to repeal these now unenforceable codes changes in order to allow for the adoption of new regulations and code changes; and

WHEREAS, there is a need to clarify the role that the Columbus Development Commission plays in the review of Zoning Code changes; and

WHEREAS, the Columbus Development Commission reviewed this proposed code change at its monthly public meeting on March 27, 2003, and voted to recommend its adoption by City Council; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Development in that it is immediately necessary to enact these code changes in order to prevent any problem with the enforcement of the provisions of the Columbus Zoning Code, Title 33, thereby preserving the public health, peace, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That Ordinance 1425-01, passed on July 30, 2001, is hereby repealed.

Section 2. That Ordinance 533-02, passed on April 1, 2002, is hereby repealed.

Section 3. That Section 3307.02 of the Columbus City Codes, 1959, is hereby amended to

read as follows:

3307.02 Duties of development commission relating to zoning.

The development commission shall:

A. Hold hearings on all applications for rezonings;

B. Consider all proposals and recommendations for amendments to the ~~Zoning Code or to the~~ official zoning map;

C. Submit to council the recommendations of the development commission, together with the reasons for such recommendations, in all matters pertaining to applications for rezoning; D. Have all of the powers conferred on a planning commission by Sections 713.06 to 713.10 inclusive, of the Ohio Revised Code;

E. Delegate to the Director ~~development regulation administrator~~ such of its powers and duties as it deems necessary for the proper administration and enforcement of this Zoning Code; and

F. Perform such other duties and functions as may be assigned to it by this Zoning Code or other ordinances of council.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0546-03

To supplement the Columbus City Codes, 1959, by creating a Section 3301.03 and 3303.00; and amending C.C. 3303, 3305, 3355, 3363, and 3339, creating contemporary definitions for adult uses; relocating Adult entertainment establishments and Adult stores to the Manufacturing Districts; designating the separation requirements between adult uses themselves and between adult uses and other specified private and public uses of sensitivity; and making various general language and grammatical changes and corrections; and to declare an emergency.

WHEREAS, the City of Columbus is aware of and has reviewed numerous studies, reports, articles, judicial decisions and the experience and legislative findings of other municipalities concerning the impacts, or secondary effects, of adult entertainment establishments and other adult oriented businesses, and the sale, distribution, and display of adult oriented materials (collectively, "Sexually Oriented Businesses") on the areas in which such Businesses are located or take place; and

WHEREAS, Sexually Oriented Businesses can cause or contribute significantly to increases in criminal activity in the areas where they are located, thereby taxing crime prevention, law enforcement, and public health services; and

WHEREAS, nude dancing and other similar conduct featured by Sexually Oriented Businesses encourages prostitution, increases the frequency of sexual assaults, attracts or encourages other related criminal activity, increases the risks to public health and safety, and otherwise causes or contributes significantly to the adverse impacts and secondary effects on the areas in which such Businesses are located or take place; and

WHEREAS, Sexually Oriented Businesses can cause or contribute significantly to the deterioration of residential neighborhoods; can impair the character and quality of such neighborhoods and the housing located within them; and can

inhibit the proper maintenance and growth of such neighborhoods, limiting or reducing the availability of quality, affordable housing for area residents and reducing the value of property in such areas; and

WHEREAS, Sexually Oriented Businesses can undermine the stability of other established business and commercial uses in the areas in which such Sexually Oriented Businesses are located and can cause or contribute significantly to the deterioration of such other business and commercial uses, thereby causing or contributing to a decline in such uses, an inhibition on business and commercial growth, and a resulting adverse impact on local government revenues and property values; and

WHEREAS, the presence of Sexually Oriented Businesses is perceived by the public generally and by neighboring business owners and residents as an indication that the area in which such Businesses occur or take place is in decline and deteriorating, a perception that can quickly lead to such decline and deterioration, prompting businesses and residents to flee the affected area to avoid the consequences of such decline and deterioration; and

WHEREAS, the exterior appearance, including signage, of Sexually Oriented Businesses can have an adverse impact on young people, can contribute to the decline of property values, and can otherwise cause or contribute significantly to the adverse and secondary effects; and

WHEREAS, adult entertainment establishments and adult stores can have a distracting influence on students attending schools; can diminish the enjoyment of persons using parks, playgrounds, and other public recreation centers; can interfere with the spiritual experience of persons attending places of worship; and

WHEREAS, the regulations established pursuant to this ordinance are in no way based upon the content of protected speech, if any, associated with Sexually Oriented Businesses, and the purpose and intent of the regulations established pursuant to this Ordinance is not to restrict or prohibit protected speech, if any, associated with Sexually Oriented Businesses, but rather is to address, mitigate, and, if possible, eliminate the adverse impacts and secondary effects of Sexually Oriented Businesses on the areas in which such Businesses are located or take place and to ensure that these Businesses are established, managed and operated in a safe and legal manner at all times; and

WHEREAS, existing Zoning Code definitions and separation requirements dealing with adult entertainment establishments and adult stores are outdated and in need of adjustment; and

WHEREAS, the Columbus Development Commission reviewed this proposed code change at its monthly public meeting on March 27, 2003, and voted to recommend its adoption by City Council; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Development in that it is immediately necessary to enact these code changes in order to coincide with the expiration of the moratorium on Adult Only Entertainment; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a new Section 3301.03 is hereby created to augment the Columbus City Codes, 1959, to read as follows:

3301.03 Severability.

The provisions of this Zoning Code are considered to be severable; and if a court of competent jurisdiction holds a provision or part of a provision unconstitutional, that decision will not automatically invalidate the remainder of a provision or any other provision or part thereof.

SECTION 2. That a new Section 3303.00 is hereby created to augment the Columbus City Codes, 1959, to read as follows:

3303.00 *Italicized words or phrases contained within or as part of a definition in this Chapter or otherwise as used throughout the Zoning Code have specific meanings and definitions.*

SECTION 3. That Sections 3303.01, 3303.02, 3303.03, 3303.14, 3303.15, 3303.16, 3303.18, **3303.19** and 3303.20 of the Columbus City Codes, 1959, be and hereby are amended to read as follows:

3303.01 Letter A.

"Abattoir" means a use or building arranged or devoted to the killing of animals other than poultry or game. "Abutting" means bordering.

"Accessory" means a subordinate use, building or structure located on the same lot with and of a nature incidental to the principal use, building or structure.

"Accessory Parking" and ~~Nonaccessory~~ "Non-accessory Parking."

1. "Accessory parking" means automobile parking as a subordinate use and of a nature incidental to but supportive of the principal use, building or structure. Accessory parking is characterized as a free service for employees and/or customers of the principal use, building, or structure.

2. ~~"Nonaccessory"~~ "Non-accessory parking" means automobile parking as a principal rather than a subordinate land use and is neither accessory nor code-required. ~~Nonaccessory;~~ Non-accessory parking is generally characterized as a commercial service.

Activities. specified sexual. (See Specified *sexual activities*.)

"Activity" means an individual tenant, business, or other commercial or noncommercial establishment or occupancy.

"Addition" means a part added to a building either by constructing so as to form one (1) architectural whole, or by joining, as by a passage, so that each is a necessary adjunct or appurtenance of the other or so that they constitute the same building.

"Administrator" when used without clarification means the Director or his or her designee building services administrator.

"Adult booth" means an area of an Adult entertainment establishment or Adult store separated from the rest of a building by a divider, partition, or wall and used to:

1. Demonstrate, play, or show adult material, or

2. View a live performance distinguished or characterized by an emphasis on the depiction, description, exposure, or representation of Specified anatomical areas, or the conduct or simulation of Specified sexual activities.

"Adult entertainment establishment" means an auditorium, bar, cabaret, concert hall, nightclub, restaurant, theater, or

other similar commercial establishment that recurrently features or provides one or more of the following:

1. Persons who appear in the nude.
2. A live performance distinguished or characterized by an emphasis on the depiction, description, exposure, or representation of *Specified anatomical areas* or the conduct or simulation of *Specified sexual activities*, or
3. Audio or video displays, computer displays, films, motion pictures, slides, or other visual representations or recordings characterized or distinguished by an emphasis on the depiction, description, exposure, or representation of *Specified anatomical areas*, or the conduct or simulation of *Specified sexual activities*.

"Adult material" means items consisting of one or more of the following:

1. Digital or printed books, magazines, periodicals, audio, video displays, computer displays, films, motion pictures, slides, or other visual representations or recordings that are characterized or distinguished by an emphasis on the depiction, description, exposure, or representation of *Specified anatomical areas* or the conduct or simulation of *Specified sexual activities*, or
2. Devices, instruments, novelties, or paraphernalia designed for use in connection with *Specified sexual activities*, or that depict or describe *Specified anatomical areas*.

"Adult store" means an establishment that contains one or more of the following:

1. An establishment which has a majority of its shelf space or square footage devoted to the display, rental, sale, or viewing of *adult material* for any form of consideration.
2. An establishment with an *Adult booth*.

"~~Adult book store~~" means an establishment deriving a majority of its income from the sale, or rental or having a majority of its stock in trade, books, magazines or other periodicals, films, or mechanical or nonmechanical devices and which adult materials are obscene or harmful to juveniles as defined by Ohio Revised Code Section 2907.01 (E) and (F) and Columbus City Codes Section 2307.01 (E) and (F).

"~~Adult motion picture theater~~" means an enclosed motion picture theater or motion picture drive in theater presenting material for observation by the patrons and therein deriving a majority of its income or having a majority of adult materials which are obscene or harmful to juveniles as defined by the Ohio Revised Code Section 2907.01 (E) and (F) and Columbus City Codes Section 2307.01 (E) and (F).

"~~Adults only entertainment establishment~~" means an establishment which features totally nude, topless, bottomless, strippers, male or female impersonators, or similar entertainment or services which are obscene or harmful to juveniles as defined by the Ohio Revised Code Section 2907.01 (E) and (F) and Columbus City Codes Section 2307.01 (E) and (F).

"~~Adult material~~" means any book, magazine, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, image description, motion picture film, phonographic record or tapes, or other tangible thing capable of arousing interest through sight, sound or touch as defined by Ohio Revised Code Section 2907.01 (E) and (F) and Columbus City Codes Section 2307.01 (E) and (F).

"Aggregate graphic area." (See "Graphic area.")

"Alley" means a right-of-way not less than ten (10) feet wide but less than thirty-five (35) feet wide located at the rear or side of lots, dedicated to public use for travel or transportation and generally affording secondary access to abutting property.

"Alley line" means a lot line bordering on an alley.

"Alter" or "Alteration," and "Structural Alteration."

"Alter" or "alteration" means any change, rearrangement or modification in construction or in the exit facilities, or the moving of partitions from one location or position to another.

"Structural alteration" means any change in the supporting members of a building such as bearing walls, columns, lintels, beams or girders, or floor construction.

"Amusement arcade" means any place of business at which five (5) or more game machines as defined in Section 559.01 of the Columbus City Codes, 1959, are located for the use or entertainment of persons patronizing the place of business.

"Anatomical areas, specified" (See: *Specified anatomical areas*.)

"Animated graphic." (See "Graphic.")

"Antenna" means any system of wires, poles, rods or similar devices for transmitting or receiving radio signals or television signals, or both, together with the structure used for the primary purpose of supporting same, including the foundation, guys, and all other components thereof.

"Apartment complex" means a residential development under one control and consisting of three (3) or more apartment houses erected on a lot which has frontage on and access to a public street through an approved system of private drives.

"Apartment hotel" means a building arranged, intended, or designed to be occupied by five (5) or more individuals or groups of individuals living independently but having a common heating system and a general dining room.

"Apartment house" means a building arranged, intended, or designed to be occupied by five (5) or more individuals, groups of individuals or families living independently of each other and with cooking facilities for the exclusive use of each of the individuals, groups of individuals, or families who occupy the premises. The number which an apartment house is designed to accommodate shall be determined by the number of separate dwelling units in such dwelling.

"Approved combustible material" means wood or any material not more combustible than wood, as specified in the most recent National Electrical Code; and approved plastics.

"Architectural decoration" means an element, design, or motif, other than an architectural feature; installed, attached, painted or applied to the exterior of a building or structure for the purpose of ornamentation or artistic expression. (Compare with "Architectural feature.")

"Architectural feature" means a window, door or other element of building design intended to be functional and any ornamentation associated therewith. (Compare with "Architectural decoration.")

"Architectural review commission" when used without clarification means the historic resources commission created by Chapter 3117, C.C., or an architectural review commission created by Chapter 3319 to Chapter 3331, C.C., inclusive, and

having jurisdiction over the application.

"Architectural review commission guidelines" means the document adopted by an architectural review commission that sets forth the architectural characteristics of a listed property or an architectural review commission area, or a specific property therein and provides design guidance for appropriate construction or alteration therein pursuant to the provisions of the pertinent chapter. Guidelines and standards are intended to be consistent with each other.

"Arterial street" means any street for which the primary function is to move vehicles from one section of the city or county and which is so designated on the city of Columbus thoroughfare plan and arterial construction type adopted by city council and used for express, moderate speed travel (usually thirty-five to fifty (35-50) miles per hour) within an urbanized area.

"Automatic changeable copy." (See "Changeable copy.")

"Aviation field" means a use devoted to the take-off, landing and storing of aircraft.

"Awning" means a hood or cover that projects from the wall of a building intended only for shelter or ornamentation.

"Fixed awning" means an awning constructed with a rigid frame which cannot be retracted, folded or collapsed.

"Illuminated awning" means a fixed awning covered with a translucent membrane and which is, in whole or part, illuminated by light passing through the membrane from within the structure; also known as an "electric awning."

"Retractable awning" means an awning, which can be, retracted, folded, or collapsed against the face of the supporting building.

"Canopy" means an awning, which is additionally supported by one (1) or more columns.

"Marquee" means a fixed awning or canopy, which requires additional loading for graphics.

3303.02 Letter B.

"Banner" means a non-rigid cloth, canvas, or plastic graphic, other than a flag.

"Corporate banner" means the emblem or standard of a for-profit or not-for-profit corporation, or other similar entity.

"Ornamental banner" means a banner that utilizes any of a variety of images or colors of an ornamental nature, and that displays no on-premises or off-premises copy.

"Promotional banner" means a banner that displays on-premises or off-premises copy. (See also "String of banners.")

"Bar" means an establishment used primarily for the dispensing, or sale of alcoholic beverages by the drink for on-site consumption.

"Billboard" means an off-premises sign which consists of one (1) or more sign faces primarily intended by the sign owner to be available for sale, lease or rental for the purpose of promoting any business or other activity which is not situated on the same property as the billboard or of promoting any product or service which is not primarily available on the same property as the billboard; and incidentally used for the display of public service messages.

"Boarding house" means a residential building, other than a hotel, in which meals are served together with lodgings for hire to three (3) or more persons.

~~"Bottomless" means less than a full opaque covering of male or female genitals, pubic area or buttocks.~~

"Building" means any structure having a roof supported by columns or walls, or any series of structures separated only by "fire separations" but contained under a common roof or within common walls, and requiring a building permit in accordance with Title Forty-One of the Building Code that is used for shelter, occupancy, enclosure, or support of persons, animals, or property.

"Building line" means a clearance line limiting the approach to a lot line of a building exclusive of open porches, steps, terraces, walkways or separate accessory building, or as otherwise provided in this Zoning Code.

~~"Burlesque" means any entertainment of any type during which the dance commonly known as "strip tease" is preformed or during which either the mammae of any female person is exposed; or during which any of the genitals of any person are exposed.~~

~~"Burlesque theater" means any building, structure or premises, where burlesque is conducted, performed or takes place, before an audience of one or more persons who are not members of the immediate family of the performer.~~

3303.03 Letter C.

"Cabaret" means a *nightclub*, or *restaurant* where performers dance, sing, or engage in plays for patrons.

"Canopy." (See "Awning.")

"Carry-out" means a retail business operation, established on an individual tract of land or lot, occupying less than ten thousand (10,000) square feet of gross floor area, engaged in the sale of food and beverages which are furnished to customers primarily for consumption or use off the premises.

"Change of use" means any alteration in the primary use of a lot for zoning purposes which may entail the need for additional parking or loading facilities.

"Changeable Copy."

"Automatic changeable copy" means a sign, or portion of a sign on which the copy changes automatically on a lamp bank or through mechanical means, e.g., electrical or electronic time and temperature or message center units.

"Manual changeable copy" means a sign, or portion of a sign on which copy is changed manually in the field, e.g., a reader board with changeable letters.

"Chapter" when used without clarification means a chapter of the Columbus Zoning Code.

"Child day care" means administering to the needs of infants, toddlers, pre-school children, and school children outside of school hours by persons other than their parents or guardians, custodians, or relatives by blood, marriage, or adoption for any part of the twenty-four (24) hour day in a place or residence other than a child's own home.

"Child day care center" means any place in which child day care is provided for seven (7) or more infants, pre-school children, or school-age children outside of school hours in average daily attendance, other than the children of the owner or operator of the center, with or without compensation, as all such minors are defined by Ohio Revised Code 5104.01.

"Child day care type B home" means the permanent residence of the owner-operator in which child day care is provided for no more than six (6) children at one time and in which no more than three (3) children may be under two (2) years of

age at one time. Amplifications of Revised Code 5104.01(E) shall apply.

"Circulation area" means all of the area within a parking lot exclusive of driveways or off-street parking or loading spaces, which is provided for vehicular maneuvering, pedestrian movement or other accessory or incidental purposes.

"Civic sign." (See "Sign.")

"Clearance" in the context of the Graphics Code means the smallest vertical distance between the grade of the adjacent street, curb or land and the lowest point of any sign, including framework and embellishments, extending over that grade.

"Commercial use." (See "Use, institutional, commercial or manufacturing.")

"Commercial vehicle" means any vehicle used or designed to be used for business or commercial purposes which infringes on the residential character of residential districts and includes, but is not necessarily limited

to: a bus, cement truck, commercial tree-trimming equipment, construction equipment, dump truck, garbage truck, panel truck, semi-tractor, semi-trailer, stake bed truck, step van, tank truck, tar truck, or other commercial type vehicle licensed by the Ohio State Bureau of Motor Vehicles as a commercial vehicle or truck.

"Community residential treatment center." (See "Halfway house.")

"Conditional" means safeguards established by the development commission or board of zoning adjustment.

"Construction" for the purpose of flood plain development regulations only:

"New construction" means a building or structure for which the start of construction occurred on or after the effective date of the ordinance codified in this section.

"Start of construction" means the date the building permit was issued provided the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred eighty (180) days of the permit date.

"Construction sign." (See "Sign.")

"Co-op sign." (See "Sign.")

"Copy." (See "Sign copy.")

"Copy area" means the area of the smallest basic geometric figure, such as a parallelogram, circle, triangle, or combination thereof, which can be described so as to enclose the actual copy of a sign.

"Corner lot" means a lot at the intersection of and abutting on two (2) streets not less than thirty (30) feet in width.

"Court" means an open, uncovered, unoccupied space other than a required yard or area containing off-street parking spaces, unobstructed from the ground to the sky, and located on the same lot with a building or buildings, and either surrounded by the walls of the building or enclosed on two (2) or more sides by such walls.

"Court type development" means a residential type development in which the area of the court exclusive of all required yards and off street parking spaces shall be not less than one-half (1/2) of the gross ground floor area of the buildings the court is intended to serve, and the width or diameter of the court area shall be not less than the average height of the building or buildings it is intended to serve.

3303.14 Letter N.

"Nameplate" means an on-premises sign displaying only the address of the building on which it is attached, the name of the occupant, or both.

"Neon" means a custom manufactured cold cathode lighting system, generally consisting of one (1) or more neon gas discharge tubes, filled with neon or a mixture of other inert gases, electrodes, high voltage cables, and one (1) or more transformers.

"Neon graphic." (See "Graphic.")

"Neon outline lighting." (See "Outline lighting.")

"Neon sign." (See "Sign.")

"Nightclub means an establishment serving alcoholic beverages and food and which recurrently features dancing, entertainment, singing, or live music."

"Nonconforming."

"Nonconforming building" means a building which was erected legally but which does not comply with subsequently enacted zoning regulations for the district in which it is located.

"Nonconforming graphic" means a graphic which was erected legally but which does not comply with subsequently enacted provisions of the Graphics Code.

"Nonconforming use" means a use which was initiated legally but which does not comply with subsequently enacted regulations of the use district in which it is situated.

"Nonilluminated sign." (See "Sign.")

~~"Nude" means the showing, representation, or depiction of any human male or female genitals, pubic area, or buttocks with less than a full, opaque covering of any portion thereof, below the top of the nipple or of covered male genitals in a discernibly turgid state~~

"Nude" or "State of nudity" means a state of dress or undress that exposes to view:

1. Less than a complete and opaque covering of a human anus, genitals, pubic region, or human female breast below a point immediately above the top of the areolae, but not including a portion of the cleavage of the female breast exhibited by a bathing suit, blouse, dress, leotard, shirt, or other wearing apparel, provided that neither the areolae nor nipples are exposed.

2. Human male genitals in a discernibly tumid state, even with a complete and opaque covering, or

3. A covering or device that when worn, depicts, represents, or simulates human female genitals, human female areolae or nipples, or human male genitals in a discernibly tumid state.

"Nursing home" means a home used for the reception and care of a total of three (3) or more individuals composed of those who by reason of illness or physical or mental impairment require skilled nursing care and/or those who require personal assistance but not skilled nursing care. A nursing home shall be licensed by the Ohio Director of Health under Chapter 3721 of the Revised Code to provide personal assistance and skilled nursing care.

3303.15 Letter O.

"Occupancy" means the portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

The term also pertains to the purpose for which a building or part of a building is used or intended to be used. Change of occupancy is not construed to include change of tenants or proprietors, when a nonconforming use is being considered.

"Off-premises sign." (See "Sign.")

"On-premises sign." (See "Sign.")

"Opaque" means a completely nontransparent and non-translucent material.

"Open court" means open, uncovered, unoccupied space on the same lot with a building wholly surrounded by or bordered on two (2) or more sides by the building walls.

"Open porch." (See "Porch.")

"Outline Lighting" and "Neon Outline Lighting."

"Outline lighting" means an arrangement of incandescent lamps or electric discharge tubing that outlines or calls attention to certain features of a building such as its shape or the decoration of a window.

"Neon outline lighting" means outline lighting formed in whole or part with neon.

"Overlay" means an additional special classification together with regulations therefor which is superimposed on an area already subject to a district classification and general zoning regulations.

"Owner" means any person, as defined in C.C. 3303.16, who is the owner of record as shown on the current tax list of the county auditor; the mortgage holder of record, if any, as shown in the mortgage records of the county recorder; and any purchaser under a land contract, "Owner" also means any person who has a freehold or lesser estate in the premises; a mortgage or vendee in possession; or any person who has charge, care or control of the premises as agent, executor, administrator, assignee, receiver, trustee, guardian or lessee.

3303.16 Letter P.

"Panel antenna" means the combination of a rectangular panel not to exceed two (2) feet wide by six (6) feet tall by six (6) inches deep and any associated support structure used to facilitate wireless radio and telecommunication transmissions. This definition excludes lattice, guyed, dish or erector-style antennas.

"Parking space" means a rectangular area of not less than nine (9) feet by eighteen (18) feet, exclusive of any driveway or other circulation area, accessible from a street, alley, or maneuvering area and designed for parking a motor vehicle.

"Parking lot" means any off-street area or facility which meets one (1) of the following conditions:

1. Contains one (1) or more parking, loading or stacking space for commercial, institutional or industrial use; or
2. Contains five (5) or more parking spaces for any residential use.

"Pennant" means a flag or banner that is triangular in shape. (See "Banner," "Flag" and "String of pennants.")

"Permanent sign." (See "Sign.")

"Person" means, without limitation, a natural person, his heirs, executors, administrators, or assigns, and also includes a corporation, partnership, an unincorporated society or association, or any other type of business or association, including respective successors or assigns, recognized now or in the future under the laws of the state or the city.

"Personal assistance" means supervision as required and services including help in walking, bathing, dressing, feeding, or getting in and out of bed.

"Pitch" means the slope of a roof expressed in feet as a ratio of vertical rise to horizontal run.

"Pole cover" means a decorative enclosure that covers the structural support of a sign.

"Political sign." (See "Sign.")

"Porch" means a roofed platform projecting from a building at an entrance and is separated from the building by the walls of the building, and is partially supported by piers, posts or columns. A porch may be open, enclosed or partially enclosed. "Open porch" means a porch which is unenclosed (except possibly for screens) by anything higher than thirty-six (36) inches above the floor except for the roof and roof supports. "Portable building" means any building or vehicle designed with running gear permanently attached for transportation on the public streets and highways under its own power or towed behind another vehicle, arriving at the site, substantially ready for use, whether for residential, office, commercial or manufacturing use. Removal of packing and baffles; interconnection of two (2) or more buildings or vehicles; and connection of or to utilities shall not be considered in determining whether a portable building is substantially ready for use. The towing hitch, wheels, axles, and other running gear may not be removed from a portable building preventing it from being portable.

"Portable sign." (See "Sign.")

"Premises" means land together with the buildings and structures thereon.

"Private access" means driveway as defined and regulated in the parking chapter hereof.

"Private club" means a building and accessory facilities owned and operated by an association, a corporation, or a group of individuals established for the cultural, educational, fraternal, recreational, or social enrichment of its members and not primarily for profit, and whose members pay dues and meet certain prescribed qualifications for membership.

"Private garage" means a building or portion of a building for the housing of motor vehicles as an accessory use permitted in a residential district or an apartment district and in which no service, work, trade, occupation, or business is carried on connected in any way with a motor vehicle as defined by Ohio Revised Code Section 4511.01.

"Private residence" means a place of usual or customary abode.

"Private roadway" means a privately owned and maintained strip of land designed, improved, and intended to be used for vehicular traffic.

"Projecting sign." (See "Sign.")

"Projector graphic." (See "Graphic.")

"Property frontage." (See "Frontage.")

"Property owner." (See "Owner.")

"Public garage" means any building or portion of a building other than a private garage, for the housing of commercial or noncommercial motor vehicles.

"Public notice" of a hearing or proceedings means ten (10) days notice of the time and place thereof printed in The City Bulletin.

"Public nuisance" means any structure which is permitted to be or remain in any of the following conditions;

- (A) In a dilapidated, decayed, unsafe or unsanitary condition detrimental to the public health, safety, and welfare, or well being of the surrounding area; or
- (B) A fire hazard; or
- (C) Any vacant building that is not secured and maintained in compliance with Chapter 4513; or
- (D) Land, real estate, houses, buildings, residences, apartments, or premises of any kind which are used in violation of any division of Section 2925.13, Ohio Revised Code.

"Public nuisance" also means any structure or real property which is not in compliance with any building, housing, zoning, fire, safety, air pollution, health or sanitation ordinance of the Columbus City Code or Columbus City Health Code, or any real property upon which its real property taxes have remained unpaid in excess of one (1) year from date of assessment.

"Public service announcement" means a temporary graphic display for the purpose of informing the public about events or activities involving the arts, or involving community service or not-for-profit organizations.

"Public sign." (See "Public graphic" and "Sign.")

"Public way" means an alley, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, lane, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk or other way in which a public entity has a proprietary right, or which is dedicated whether or not it has been improved.

3303.18 Letter R.

"Real estate sign." (See "Sign.")

"Rear of a building", "Rear line of a building" and "rear yard line", respectively, mean that portion, building line or yard line opposite to the front line of a building, whether or not affording service access to the building.

"Recreational vehicle" means a vehicle manufactured or modified to contain temporary living quarters for travel, recreation, or vacation purposes including, but not necessarily limited to, camper, travel trailer, truck camper, and motor home.

"Recurrence interval" means the average interval of time, based upon a statistical analysis of actual or representative stream flow records, which can be expected to elapse between floods equal to or greater than a specified flood.

"Regulations", when referring to the name of a division of the city administration, means the Building Services Division of the Department of Development.

"Religious facility" means a building or structure in which worship, ceremonies, rituals, and education pertaining to a particular system of beliefs are held.

"Residence" is the general term implying place of human habitation and embracing both residential and apartment residential district classifications.

"Residential care facility" means a use of a dwelling unit or dwelling units within a building primarily for providing supervised room, board and care in a residential setting to residents thereof whose disabilities or status limit their ability to live independently, and secondarily for training, rehabilitation and nonclinical services. The term excludes use as a clinic, institution, hospital, nursing home, convalescent home, school, child day care center, nursery school, dormitory or other similar use. The term shall not be applied to owner-occupied premises with one (1) or two (2) roomers. However, for the purpose of licensing, the term is included within "rooming house" as defined in Section 4501.32.

"Residential complex" means a residential development with fifteen (15) or more dwelling units situated on the same tax parcel.

"Residential use." (See "Use, residential.")

"Residentially zoned district or use" means any area zoned for residential use as defined in this Zoning Code or any area where persons may reside.

"Restaurant" means an establishment that involves the preparation of food and drink, served to and consumed by patrons primarily within the building.

"Rest home" means a home that provides personal assistance for three (3) or more individuals who are dependent on the services of others by reason of age or physical or mental impairment but who do not require skilled nursing care. A rest home shall be licensed under Chapter 3721 of the Revised Code to provide only accommodations and personal assistance and may not admit individuals requiring skilled nursing care.

"Retail filling station" means a use involving the supplying to individual vehicles for their use only, of oil, grease or gasoline or other liquid fuel with other customary incidental service, the storage facilities of which use shall not be in excess of two (2) tank cars or total storage capacity of thirty thousand (30,000) gallons. "Retail filling station" is the same as gasoline service station.

"Right-of-way line" means the limit of publicly owned land or easement encompassing a street or alley.

"Roof line" means in the case of a flat roof, the uppermost line of the roof of a building; in the case of a pitched roof, the lower edge of the eave; or in the case of an extended facade or parapet, the uppermost height of said facade or parapet.

"Roof sign." (See "Sign.")

"Rooming house" means a residential building, other than a hotel, in which part or parts are kept, used or held out to be a place where sleeping accommodations are offered for hire for three (3) or more persons.

"Row" is a group of attached residences, separated by vertical fire walls, in which each residence has its own front and rear yards, and has appropriated to it the entire building between the fire walls.

3303.19 Letter S.

"Salvage" means any personal property which is bought, bartered, acquired, possessed, collected, accumulated, dismantled, processed, sorted or stored for reuse or resale such as: any type of used building material, such as, but not limited to, lumber, brick, concrete and masonry, steel beams, girders and columns, trusses, plumbing pipe and fixtures,

and any other material formerly used for the construction of a structure, used or salvaged motor vehicles which are primarily used for parts, used steel drums and used containers, used fats, oils and greases, used tires, and similar or related articles or property.

"Salvage dealer" means any person who buys, exchanges, collects, receives, stores or sells any article defined as junk or salvage.

"Salvage yard" means any place where a person who is a junk dealer or salvage dealer buys, exchanges, collects, receives, stores, accumulates, sells or otherwise transfers junk or salvaged material.

"School" means a public or parochial primary or grade school, middle or junior high school, or senior high school as those terms are ordinarily used and shall not include a vocational or trade school or any institution other than one for children whose attendance is required by the laws of the state.

"Sculpture" means a three-dimensional construction or form, generally executed for the purposes of decoration or artistic expression; and displayed in any place accessible to the public.

"Self-contained graphic." (See "Graphic.")

"Self-propelled sign." (See "Sign.")

"Service station" means a use of property for retail sales of gasoline or other motor vehicle fuels and oils for delivery into automotive vehicles and may include retail sales of lubricants, tires, batteries, and automotive accessories; the rendering of services and the making of adjustments and replacements to motor vehicles; the washing, waxing and polishing of motor vehicles without an independent structure therefor; and the making of light repairs to motor vehicles which does not include or necessitate the dismantling or repair of the motor vehicle outside of the building, or the storage outside of the building of dismantled motor vehicles or any outside storage or assemblage of motor vehicle parts, accessories or components.

"Setback line" means the building line.

"Shall" means mandatory and not merely directory.

"Shared living facility" means a dwelling unit cooperatively used by six (6) or more individuals, unrelated to each other by blood or marriage, as a single housekeeping unit wherein each of the common areas of the unit such as, but not limited to, the kitchen, living room and dining room, is available to each such individual who participates in the costs and maintenance of the unit.

The term "shared living facility" expressly excludes use as a boarding home, child day care center, clinic, convalescent home, dormitory, hospital, institution, nursery school, nursing home, rooming house, school, or other similar use. For the purpose of licensing and regulating such use, however, the term "shared living facility" is included within the term "rooming house" as defined in C.C. 4501.32 and as used in Title 45, C.C. The term shall include each "residential care facility" composed of six (6) or more individuals.

"Shop for custom work" means a building in which is conducted an operation of assembly, repair service or manufacture of articles upon order and for retail sale on the premises. Thus, a radio repair shop, furniture repair shop, upholstery shop, or similar use would be a "shop for custom work" while a locomotive or machinery shop would not be a shop for custom work.

"Show window display" means a display of goods or advertising materials in a show window as defined in Article 100 of the National Electrical Code, most recent version.

"Side wall sign." (See "Sign.")

"Sign" means a name, identification, description, display or illustration which is affixed to or painted upon or represented directly or indirectly upon a building, structure or piece of land or affixed to the glass on the outside or inside of a window or door, or inside a building within three (3) feet of a window or door so as to be readable from outside the building, and which directs attention to an object, product, place, activity, person, institution, organization, business, or the like.

The term "sign" includes any associated sign face, sign structure, pole cover, embellishment, decorative element and source of illumination; but excludes architectural decoration, mural, sculpture, show window display, outline lighting and projector graphic.

"Abandoned sign" means a sign which no longer identifies or advertises the service, product, or activity with which the sign was most recently associated and/or for which the owner cannot be found.

"Civic sign" means a permanent off-premises sign advertising the existence or availability within the local area of civic, fraternal, religious, or other institutional organizations.

"Construction sign" means a temporary sign to denote a future facility, to identify a project under construction on the lot on which the sign is erected, and to indicate project name, logo, address, contractor, subcontractor, architect, bank, or similar information.

"Co-op sign" means an on-premises sign that both identifies and promotes an establishment on the site and promotes a specific product or service that is not the principal product or service available at the site.

"Directional sign" means an on-premises sign conveying only directions or instructions with respect to the premises on which it is located.

"Directory sign" means a sign (usually on-premises) that incorporates a list of names or activities. "Double-faced sign" means a sign with two (2) sign faces arranged back-to-back parallel to each other and separated by no more than two (2) feet, or arranged back-to-back with the faces separated by an angle of no more than sixty (60) degrees. where directed to a public street, the sign faces of a double-faced sign shall be perpendicular to that street.

"Entry feature sign" means a permanent on-premises sign identifying a vehicular entrance to a residential subdivision, residential complex or institutional use.

"Ground sign" means a freestanding detached sign whose support structure is imbedded in the ground.

"Identification sign" means a sign which primarily displays the name and address of a building, institution, or person and/or the activity or occupation being identified.

"Illegal sign" means a sign which does not meet the requirements of the Graphics Code and which is not a nonconforming

sign.

"Illuminated sign" means a sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

"Monument sign" means a ground sign, usually low in profile, with a monolithic, base.

"Multi-faced sign" means a sign with more than two (2) sign faces arranged so that some or all of the faces are not parallel to each other, and/or directed to different streets or vantage points.

"Neon sign" means a sign formed in whole or part with neon.

"Nonilluminated sign" means a sign without lighting of any kind as part of the sign installation or structure.

"Off-premises sign" means a sign used to advertise, promote, or provide direction to any person, activity, establishment, product or service available, produced or manufactured at a location other than on the property on which the sign is located; including any display surface, supporting structure, lighting, maintenance walkway and embellishment. The term includes "billboard" as defined in C.C. 3303.02.

"On-premises sign" means a sign which pertains to the use of the premises on which it is located.

"Permanent sign" means a legal sign which is not restricted as to the duration of time it may be displayed.

"Political sign" means a temporary sign, the purpose of which is to inform the public or to support or oppose any candidate or candidates for public office or any ballot question or issues to be voted on in any election. "Portable sign" means a sign designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes. The term does not include a self-propelled or trailer sign.

"Private sign" means any sign other than a public sign.

"Projecting sign" means a sign that is attached to the facade of a building or to an awning or canopy attached to a building facade; which projects outward from the facade more than twenty-four (24) inches and which is installed with the sign faces between forty-five (45) degrees and ninety (90) degrees relative to said facade or to the street to which the sign is directed.

"Public sign" means a sign required by law or governmental regulations, including but not limited to legal notices and traffic controls or similar regulatory devices.

"Real estate sign" means a sign advertising the sale, rental or lease of all or a portion of the building or land upon which it is displayed.

"Roof sign" means a sign erected upon the roof of a building, any portion of which is above the roof line of the building.

"Self-propelled sign" means an off-premises sign that is mounted on or attached to a self-propelled vehicle. "Side wall sign" means an on-premises wall sign attached to or displayed on a building facade which is most nearly perpendicular to a public street bordering the subject site.

"Single-faced sign" means a sign with one (1) facing only.

"Temporary sign" means a sign having a specific limitation as to the length of time it may be displayed.

"Trailer sign" means a sign mounted on a trailer chassis with or without wheels and used as an on-premises or off-premises sign.

"Wall sign" means a sign that is mounted on or attached to a building facade or other structure which supports a roof, including any sign which is part of or attached to an awning or canopy; that does not project outward more than twenty-four (24) inches from the surface to which it is attached; and that is less than forty-five (45) degrees from parallel to the plane of the facade to which it is attached.

"Window sign" means a sign applied to a window or door and readable from the outside. (See also "Exterior graphic" and "Interior graphic.")

"Sign copy" means any combination of letters, numerals, words, symbols, pictures, emblems or other characters that constitute a message in either permanent or removable form.

"Sign face" means the surface or plane on which the copy and other individual graphic elements constituting a sign are displayed.

"Sign height" means the vertical distance measured from the highest point of the sign, excluding embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less. (Compare with "Clearance.")

"Sign setback line" means the boundary of an area adjacent to a public right-of-way or other property line and within which no part of a sign shall be located. "Required sign setback" means the minimum allowable separation between a sign and a property line, right-of-way line or other referent.

"Sign structure" means the portion of a sign which supports, has supported or is capable of supporting a sign face and/or copy.

"Single-faced sign." (See "Sign.")

"Single-family dwelling" means a residential building consisting of one (1) dwelling unit and which is arranged, intended or designed for one (1) family. The term shall not include a manufactured home or a mobile home.

"Skilled nursing care" means procedures that require technical skills and knowledge beyond those the untrained person possesses and that are commonly employed in providing for the physical, mental, and emotional needs of the ill or otherwise incapacitated, including, without limitation, procedures such as:

1. Irrigations, catheterization, application of dressings, and supervision of special diets;
2. Objective observation of changes in the patient's condition as a means of analyzing and determining the nursing care required and the need for further medical diagnosis and treatment;
3. Special procedures contributing to rehabilitation;
4. Administration of medication by any method ordered by a physician such as hypodermically, rectally, or orally.
5. Carrying out other treatments prescribed by the physician that involve a similar level of complexity and skill administration.

"Slaughterhouse" means a use of a building arranged or devoted to the killing of animals other than poultry or game.

"Special Event" and "Approved Special Event."

"Special event" means a preplanned major activity sponsored by an organization, proposed to be held on public property or private property and open to the public, for the purpose(s) of entertainment, celebration, amusement, cultural recognition, arts and crafts displays and/or sales, amateur sports demonstration or competition, or similar activities.

"Approved special event" means a special event for which all permits, licenses or other approvals required by the city, or other governmental body have been obtained.

"Specified anatomical area" means the following:

1. A human anus, buttocks, genitals, or pubic region with less than a complete and *opaque* covering.
2. A human female breast below a point immediately above the top of the areolae, but not including a portion of the cleavage of the female breast exhibited by a bathing suit, blouse, dress, leotard, shirt, or other wearing apparel, provided that neither the areolae nor nipples are exposed.
3. Human male genitals in a discernibly tumid state, even with a complete and *opaque* covering, or
4. A covering or device that when worn, simulates human female genitals, human female areolae or nipples, or human male genitals in a discernibly tumid state.

"Specified sexual activities" means the following:

1. Actual or simulated sex acts including masturbation, oral copulation, sexual intercourse, or sodomy.
2. Fondling or other erotic touching of a human anus, buttocks, genitals, pubic region, or female breast whether self-directed or as part of direct contact between two or more
3. Human genitals in a state of sexual arousal, stimulation, or tumescence, or
4. Excretory functions as Part of or in connection with an activity listed in numbers 1 through 3 of this definition.

"Story" and "Half Story."

"Story" means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. When the ceiling of the lower story of a building can be used for any purpose except service equipment pertaining to the building such lower and or attic story shall be a story for the purpose of this Zoning Code. The first floor level shall mean the floor level at or nearest the grade level at the principal entrance.

"Half story" means a story under a gable, hip or gambrel roof, the wall plates of at least two (2) of the exterior walls being not more than three (3) feet above the floor of such story.

"Storage yard" means an open place where materials other than junk or salvage are stored.

"Street" means any public thoroughfare or public park not less than thirty-five (35) feet in width which has been dedicated or deeded to the city for public uses.

"Street line" means the lot line bordering a street, park or other public way other than an alley.

"String of banners" means a display consisting of four (4) or more banners attached to the same flag pole or to a string, rope, wire or the like.

"String of lights" means four (4) or more electric lamps arranged with individual lampholders supported and powered by electrical conductors which are exposed to view.

"String of pennants" means a display consisting of four (4) or more pennants attached to the same flag pole or to a string, rope, wire or the like.

"Structure" means a combination of materials, other than a building, to form a construction that is safe and stable including, but not limited to, stadium, gospel or circus tent, reviewing stand, platforms, staging, observation tower, shed, coal bin, or fence in excess of six (6) feet in height. The term "structure" shall be construed as if followed by the words "or parts thereof."

"Studio" means the working room of an artist, painter, sculptor, or by extension, one engaged in any more or less artistic employment such as photography or design.

"Supermarket" means a store which is primarily for the retail sale of food and which has a gross floor area, including all types of storage rooms, rest rooms, and other incidental rooms or areas, of ten thousand (10,000) square feet or more.

3303.20 Letter T.

"Temporary sign." (See "Sign.")

"Tenant panel" means that portion of a ground sign for an institutional, commercial, or manufacturing complex which identifies any one tenant or activity.

"Tenement house" means a house or building all or any portion of which is rented, leased, let or hired out to be occupied or is intended, arranged or designed to be occupied as the home or residence of two (2) or more families living independently of each other and doing their cooking upon the premises, and having a common right in the halls and or stairways, but having no water supplied and drains connected for bath and or washstand within each apartment.

"Through lot" means a lot which has either opposite ends, or opposite sides, each abutting a public street.

~~"Topless" means less than a full opaque covering below the top of the nipple.~~

"Town house" means one (1) dwelling unit of a row situated on its own lot in a recorded subdivision.

"Town house development" means a residential development of town houses as regulated by Chapter 3333, C.C.

"Trade" embraces such commercial activities as are entailed in interchange, but not including operations of manufacture.

"Trailer sign." (See "Sign.")

"Two-family dwelling" means a residential building consisting of two (2) dwelling units each of which adjoins the other either horizontally or vertically, and is arranged, intended or designed for one (1) family. Each dwelling unit shall have its own separate, private means of ingress and egress. The term "two-family dwelling" shall not include a manufactured home or a mobile home.

SECTION 4. That a new Section 3305.03 is hereby created to supplement the Columbus City Codes, 1959, to read as follows:

3305.03 Authority and compliance.

A certificate of zoning clearance authorizes the use and plans denoted in the application. An alteration,

construction, or use of a premise not in compliance with the authorized zoning clearance shall be deemed a violation of this Zoning Code subject to the penalties specified and may cause the Director to void the certificate.

Failure to comply with any administrative authorization, requirement or condition of any variance, special permit, or rezoning approved or passed by a designated board or by City Council shall be deemed a violation of this Zoning Code subject to the penalties specified and may cause the Director to void such administrative authorization or approval.

SECTION 5. That a new Section 3305.09 is hereby created to supplement the Columbus City Codes, 1959, to read as follows:

3305.09 Violation.

A violation of the Zoning Code exists when a *person* or *owner* as defined in C.C. 3303:

- A. Fails to obtain a certificate of zoning clearance prior to the *alteration*, construction, or *change of use* of a *premises*,
- B. Fails to comply with the authorized certificate of zoning clearance or approved plan during the *alteration*, construction, or *change of use* of a *premises*,
- C. Fails to comply with relevant provisions or requirements of the Zoning Code, or
- D. Fails to comply with an order issued by the Director.

SECTION 6. That a new Section 3305.09 is hereby created to supplement the Columbus City Codes, 1959, to read as follows:

3305.99 Penalties.

A *person* or *owner* as defined in C.C. 3303, and anyone in their employ who is found guilty of having committed or assisted in the commission of one or more of the violations listed in C.C. 3305.09, may be charged with a separate misdemeanor of the third degree for each day the violation exists. Separate penalties may be imposed for each offense.

SECTION 7. That a new Section 3363.01 is hereby created to supplement the Columbus City Codes 1959, to read as follows:

3363.01 M-Manufacturing District

In an M-Manufacturing District, a *use* of the C-1, C-2, C-3, C-4 Commercial Districts, C-S Commercial District (utilizing C-5 development standards), the P-1, and P-2, Parking District, and the following uses *are* permitted:

- A. One or more uses as specified in C.C. 3363.02 through 3363.175,
- B. *Residential uses* shall be restricted to:
 - 1. A *dwelling unit* for a resident security person; or
 - 2. Units within a *half way house* or *community residential treatment center*, a hospital, or other building specifically for human care,
- C. Accessory uses as specified in this Chapter, and
- D. An *adult entertainment establishment*, and an *adult store*.

SECTION 8. That Section 3363.19 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3363.19 Location requirements.

Location requirements are as follows:

- A. An *Adult entertainment establishment*, or an *Adult store* must be:
 - 1. Located 250 feet or more from a *child day care center*, hospital, park, playground, public library, public recreation facility, religious facility, *school*, residentially zoned district
 - 2. Located 250 feet or more from each other, and
 - 3. Located, designed and situated to ensure that it does not cause or create a circumstance of exterior display, or otherwise allow the public to view any *Adult entertainment*, or *Adult material* from a sidewalk, public or private right-of-way or an adjacent *premises*.

Additional reference to *Adult entertainment establishment* and *Adult store* can be found in Chapter 3389, Special Permit Uses.

~~(a) M-Manufacturing District.~~ B. Less objectionable uses listed in C.C. 3363.02 to 3363.08 may be located anywhere in the ~~M-manufacturing districts~~ M Manufacturing District provided ~~such uses~~ they comply with the performance standards of this chapter and C.C. ~~Section~~ 3363.27(a) as to height and area regulations.

~~(b) However, more C. More objectionable uses listed in C.C. Sections 3363.09 to 3363.16 shall not be located within less than six hundred (600) 600-feet from the boundaries of any residential or apartment residential district districts, except as otherwise provided in C.C. Section 3311.28. Furthermore, no uses A use listed in C.C. Section 3363.17 shall shall not be located nearer to any residential, or apartment residential district and/or commercial districts than as recommended and approved denoted in C.C. Section 3363.17 3363.27 (b) (2).~~

D. Distance separation as required in this Section is measured from the closest point on a property line containing the permitted use and the closest point on a property line containing the district or use it is to be separated from.

SECTION 9. That a new Section 3365.01 is hereby created to supplement the Columbus City Codes, 1959, to read as follows:

3365.01 M-1 Manufacturing District

In an M-1 Manufacturing District, the following uses are permitted:

- A. One or more uses as specified in C.C. 3365.02 through 3365.15.
- B. Accessory uses as specified in this Chapter, and
- C. An *adult entertainment establishment*, and an *adult store*. All performance standards of this chapter shall apply.

SECTION 10. That Section 3365.17 of the Columbus City Codes, 1959, is hereby amended to read as follows

3365.17 Location requirements.

Location requirements are as follows:

- A. An *Adult entertainment establishment*, or an *Adult store* must be:
1. Located 250 feet or more from a *child day care center*, hospital, park, playground, public library, public recreation facility, religious facility, *school*, residentially zoned district
 2. Located 250 feet or more from each other, and
 3. Located, designed and situated to ensure that it does not cause or create a circumstance of exterior display, or otherwise allow the public to view any *Adult entertainment*, or *Adult material* from a sidewalk, public or private right-of-way or an adjacent premises.

Additional reference to *Adult entertainment establishment* and *Adult store* can be found in Chapter 3389, Special Permit Uses.

~~(a) M-1 Manufacturing District.~~ B. Less objectionable uses listed in C.C. Sections 3365.02 to 3365.08 may be located anywhere in the M-1 manufacturing districts M-1 Manufacturing District provided such uses they comply with the performance standards of this chapter and C.C. Section 3365.21(a) as to height and area regulations.

~~(b) However, more C. More objectionable uses listed in C.C. Sections 3365.09 to 3365.15 shall not be located within less than six hundred (600) 600-feet from the boundaries of any Residential or Apartment Residential District Districts, except as otherwise provided in C.C. Section 3311.28.~~

D. Distance separation as required in this Section is measured from the closest point on a property line containing the permitted use and the closest point on a property line containing the district or use it is to be separated from.

SECTION 11. That a new Section 3367.01 is hereby created to supplement the Columbus City Codes, 1959, to read as follows:

3367.01 M-2 Manufacturing District

In an M-2 Manufacturing District, the following uses are permitted:

- A. One or more uses as specified in C.C. 3367.02 through 3367.085,
- B. Accessory uses as specified in this Chapter, and
- C. An *adult entertainment establishment*, and an *adult store*. All performance standards of this chapter

shall apply.

SECTION 12. That Section 3367.19 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3367.19 Location requirements.

Location requirements are as follows:

- A. An *Adult entertainment establishment*, or an *Adult store* must be:
1. Located 250 feet or more from a *child day care center*, hospital, park, playground, public library, public recreation facility, religious facility, *school*, residentially zoned district
 2. Located 250 feet or more from each other, and
 3. Located, designed and situated to ensure that it does not cause or create a circumstance of exterior display, or otherwise allow the public to view any *Adult entertainment* or *Adult material* from a sidewalk, public or private right-of-way or an adjacent premises.

Additional reference to *Adult entertainment establishment* and *Adult store* can be found in Chapter 3389, Special Permit Uses.

B. Less objectionable uses listed in C.C. 3367.02 to 3367.085, inclusive, may be located anywhere in the M-2 Manufacturing District provided they comply with the performance standards of this chapter and C.C. 3367.14 as to height and area regulations.

C. Distance separation as required in this Section is measured from the closest point on a property line containing the permitted use and the closest point on a property line containing the district or use it is to be separated from.

~~M-2 Manufacturing District. Less objectionable uses listed in C.C. Sections 3367.02 through 3367.085, both inclusive, may be located anywhere in the M-2 manufacturing districts, provided such uses comply with the performance standards of this chapter and C.C. Section 3367.01 as to heights, yards, lot area coverage, and related provisions.~~

SECTION 13. That a new Section 3389.10 is hereby created to supplement the Columbus City Codes, 1959, to read as follows:

3389.10 Procedures for reducing the separation requirements for adult uses.

An *adult entertainment establishment* or an *adult store* requires a special permit to locate less than 250 feet from a *child day care center*, hospital, park, playground, public library, public recreation facility, religious facility, *school*, or residentially zoned district, or to locate less than 250 feet from another *Adult entertainment establishment* or *Adult store*. The Board of Zoning Adjustment may consider a special permit request for reduced distance separation only after the following criteria and procedures have been followed:

A. An application has been properly submitted containing a petition with the legible signatures of more than 50% of all *persons* residing, owning property, and maintaining permanent business establishments within 250 feet of the location proposed for an *Adult entertainment establishment* or an *Adult store*. The petition is to be accompanied by a notarized affidavit attesting to the accuracy, completeness, and validity of the petition, and that the petition meets all the relevant governing procedures and requirements contained in the adopted Board of Zoning Adjustment's rules and regulations. Each page of the petition must contain the following minimum information:

1. A clear and concise description of the intended *adult entertainment establishment* or *adult store*,
2. A clear and concise indication of the Code-required distance separation and the distance reduction being requested,
3. A clear and concise instruction informing the person, that signing the petition indicates the

person's support, or non-objection to the reduced distance separation, and

4. Sequentially numbered lines for individual signatures and corresponding addresses.

B. The application contains sufficient background, information, and documentation for the Board of Zoning Adjustment to property assess and find:

1. That the proposed distance reduction is not contrary to the public interest or injurious to nearby properties,

2. That the proposed distance reduction will not enlarge or encourage the development of a blighting influence, and

3. That the establishment of an additional *Adult entertainment establishment* or *Adult store* in the area will not be contrary to any program of neighborhood conservation nor will it interfere with any program of urban renewal or revitalization.

C. Distance separation as required in this Section is measured from the closest point on a property line containing the *Adult entertainment establishment* or *Adult store* and the closest point on a property line containing the district or use it is to be separated from.

SECTION 14. That existing Sections 3305.03, 3305.09, 3305.99, 3363.01, 3365.01, 3367.01 and 3389.10 of the Columbus City Codes, 1959, are hereby repealed in their entirety.

SECTION 15. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 14, 2003, Matthew D. Habash, President of Council / Approved April 15, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**TABLE OF CHANGES IN YOUR 1959
COLUMBUS CITY CODE**

Code	Ordinance	2002	Page	Subject
To supplement and amend various sections	1415-02	39	1801	To supplement and amend various sections in Title 13, "Refuse Collection Code", in order to allow for the streamlining of code enforcement through the centralization of enforcement staff in the Department of Development while still allowing for the regulation of refuse collection by the Department of Public Service.
To amend Chapter 1105	1447-02	39	1807	To amend Chapter 1105 of the Columbus City Codes, 1959, to modify the current method of assessing front footage fees for tapping into City of Columbus water lines.
To amend Chapters 1105 and 1147	1448-02	39	1808	To amend Chapters 1105 and 1147 of the Columbus City Codes, 1959 to eliminate unnecessary language regarding the grace period and penalty assessment dates of water and sewer bills.
To correct an inadvertent omission in Chapter 3372	1463-02	40	1844	To correct an inadvertent omission in Chapter 3372 (Urban Commercial Overlay) of the Columbus City Codes through a minor amendment to Section 3372.611 (Design Standards).
To amend the Columbus City Codes	1534-02	44	2017	To amend the Columbus City Codes, 1959, by the enactment of new sections in Chapter 3380, Standards For Areas of Special Graphics Control, in order to create the "Morse Road Special Graphics Control Area" for that portion of the Morse Road corridor from Interstate 71 to the centerline of Sunbury Road (map attached), and to repeal existing Sections 3380.101 and 3380.103.
To supplement the Columbus City Codes	1535-02	44	2019	To supplement the Columbus City Codes, 1959, by the enactment of new sections in Chapter 3372, Planning Overlay, in order to create the "Morse Road Planning Overlay" for that portion of the Morse Road corridor from Interstate 71 to the centerline of Sunbury Road (map attached).
To amend the Columbus City Codes	1715-02	48	2278	To amend the Columbus City Codes, 1959, as it relates to 2003 water rates for customers of the Division of Water.
To amend Chapter 1149 of the Columbus City Codes	1716-02	48	2281	To amend Chapter 1149 of the Columbus City Codes 1959, to enact new Stormwater fees effective January 1, 2003, and to repeal the existing Section being amended.
To amend Chapter 1147	1717-02	48	2281	To amend Chapter 1147, Section 1147.11 of the Columbus City Codes 1959, to enact new sanitary sewer service rates for the year beginning January 1, 2003, and to repeal the existing Section being amended.
To authorize an amendment	1718-02	48	2284	To authorize an amendment to Columbus City Codes, 1959, Title 21, Chapter 2133.03.
To supplement the Columbus City Codes	1877-02	51	2516	To supplement the Columbus City Codes, 1959, by amending sections of Chapter 3332 by deleting reference to lot area standards from the use sections in this chapter; and by making general language, grammatical and organizational changes; and to adjust definitions in Chapter 3303 to clarify the delegations of zoning powers.
To repeal and enact various sections of the Columbus City Codes	1878-02	51	2526	To repeal and enact various sections of the Columbus City Codes, 1959, in order change the name and scope of the Columbus traffic and transportation commission to the Columbus Transportation and Pedestrian Commission.
To enact Chapter 904 of the Columbus City Code	1879-02	51	2527	To enact Chapter 904 of the Columbus City Code to regulate the limited use or occupation of public sidewalk other real property within public right-of-way.
To repeal and reenact Columbus City Code Chapters 3351, 3353 and 3355.	0236-03	10	3004	To repeal and reenact Columbus City Code Chapters 3351, 3353, 3355, dealing with allowable uses in the C1, C-2, C-3 and C-4 Commercial Zoning Districts of the city of Columbus, in order to update these chapters; to separate C-4 commercial uses out from the C-3 commercial uses found in Chapter 3355 and to create a new chapter 3356 for the C-4 Commercial uses.
To amend section 4109.09 of the Columbus City Codes	0457-03	13	3186	To amend section 4109.09 of the Columbus City Codes, 1959, in order to require a permit to be obtained prior to the securing of any building and structure that has been declared unsafe as allowed by the Columbus building Code (Title 41); and to declare an emergency.
To repeal Ordinance 1425-01 and 533-02, both promulgating changes in Title 33	0545-03	16	3383	To repeal Ordinance 1425-01 and 533-02, both promulgating changes in Title 33, the Columbus Zoning Code, relating to the regulation of adult only entertainment establishments in order to bring the Columbus Zoning Code into compliance with a Federal Court ruling; to clarify City Council's power to pass Zoning Code changes; and to declare an emergency.
To supplement the Columbus City Codes, 1959, by creating a Section 3301.03 and 3303.00; and amending C.C. 3303, 3305, 3355, 3363, and 3339	0546-03	16	3383	To supplement the Columbus City Codes, 1959, by creating a Section 3301.03 and 3303.00; and amending C.C. 3303, 3305, 3355, 3363, and 3339, creating contemporary definitions for adult uses; relocating Adult entertainment establishments and Adult stores to the Manufacturing Districts; designating the separation requirements between adult uses themselves and between adult uses and other specified private and public uses of sensitivity; and making various general language and grammatical changes and corrections; and to declare an emergency.